

FACTSHEET

TITLE: CHANGE OF ZONE NO. 05014, from R-7, R-6, R-5 and R-4 Residential Districts to R-2 Residential District and P Public Use District, requested by the Near South Neighborhood Association, on property generally located between "A" Street and South Street, 13th to 27th Streets; "F" Street and "A" Street, 17th to 18th Streets; and "F" Street to "A" Street, 20th to 27th Streets.

STAFF RECOMMENDATION: Approval, as revised on March 16, 2005.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 03/16/05
Administrative Action: 03/16/05

RECOMMENDATION: Approval, as revised on March 16, 2005 (6-2: Taylor, Marvin, Pearson, Carroll, Krieser and Larson voting 'yes'; Sunderman and Bills-Strand voting 'no'; Carlson declared a conflict of interest).

1. This is a request by the Near South Neighborhood Association to change the zoning for approximately 98 blocks within the neighborhood to R-2 Residential. The reason for the downzoning of this area is to preserve and enhance the single-family atmosphere; prevent the overtaking of the neighborhood's infrastructure; and to rectify residential zoning that is inconsistent with the traditional and current property uses. The applicant also wishes to protect the numerous historically important homes in the area from transition to multi-family units through conversion or demolition. The applicant's purpose statement is set forth on Exhibit A (p.31-32).
2. The legal description evolved throughout the review process and was revised at the public hearing before the Planning Commission as set forth on p.22-23. The original application included a request to change the zoning on some B-3 Commercial properties; however, those properties were removed from the request. The maps on p.24-28 represent the recommendation of the Planning Commission (also as agreed upon between the applicant and the staff).
3. The staff recommendation of approval is based upon the "Analysis" as set forth on p.5-9, concluding that this neighborhood appears to have reached a point where the mix of residential uses seems appropriate, and additional density would start to discourage home ownership and overload the local street system. This rezoning would still leave many other areas in and around the downtown available for high density residential development. The "Non-Standard Lot Size Calculations" prepared by staff is found on p.29.
4. The applicant's testimony and testimony in support is found on p.12-15, and the record consists of 56 letters and e-mail communications in support (p.35-91). The record also includes a letter from the Chief of Police in support (p.33).
5. Testimony in opposition is found on p.16-18, and the record consists of 5 letters and e-mail communications in opposition (p.92-199).
6. The Planning Commission discussion with staff is found on p.18-19. Staff agreed with the testimony of one supporter that some modification of the rules for re-building older structures may be appropriate.
7. On March 16, 2005, the majority of the Planning Commission agreed with the staff recommendation and voted 6-2 to recommend approval of the change of zone for the revised legal description as submitted on March 16, 2005, and revised by staff at the public hearing. Commissioners Sunderman and Bills-Strand cast the dissenting votes finding that there should be more of a transition as opposed to going all the way from R-7 to R-2. Bills-Strand also expressed concern about the properties that will become nonstandard and nonconforming.

FACTSHEET PREPARED BY: Jean L. Walker

REVIEWED BY:

REFERENCE NUMBER: FS\CC\2005\CZ.05014

DATE: March 22, 2005

DATE: March 22, 2005

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for March 16, 2005 PLANNING COMMISSION MEETING

P.A.S.: Change of Zone #05014

PROPOSAL: To change the zoning on approximately 98 blocks within the Near South Neighborhood from R-7, R-6, R-5 and R-4 Residential and ~~B-3 Commercial~~ to R-2 Residential and P Public.

LOCATION: Generally between "A" and South Streets, 13th to 27th Streets; "F" to "A" Streets, 17th to 18th Streets; "F" to "A" Streets, 20th to 27th Streets.

LAND AREA: 333.65 acres, more or less.

CONCLUSION: This neighborhood appears to have reached a point where the mix of residential uses seems appropriate. The current mix is approaching a tipping point in some areas, at which additional two- and multiple-family dwellings would start to overload the carrying capacity of these areas. Other areas have increased in density significantly, almost reaching a point of no return. However, the prevalence of converted historically significant homes in the area suggests there is value in preserving the neighborhood as it is before additional modern slip-in apartments are constructed. Approval of this change of zone would preserve the current development pattern and limit the potential for increasing housing density in an area with a fixed amount of infrastructure.

RECOMMENDATION:

Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: The revised legal description agreed upon between the applicant and staff, and recommended for approval by the Planning Commission on March 16, 2005, is found on p.22-23.

EXISTING ZONING: R-4, R-5, R -6, and R-7 Residential, B-3 Commercial

EXISTING LAND USE: Single-, Two-, and Multiple-family, Commercial, Church, Park

SURROUNDING LAND USE AND ZONING:

North:	Lincoln High School	P Public
	Single, Two-, and Multiple-family dwellings	R-6 and R-7 Residential
South:	Single- and Two-family dwellings	R-2 Residential
East:	Folsom Children's Zoo	P Public
	Single- and Two-family dwellings	R-2 Residential
West:	Single, Two-, and Multiple-family dwellings	R-2, R-6, and R-7 Residential

HISTORY:

Prior to the 1979 zoning update, this area was zoned B Two-Family Dwelling, C Multiple Dwelling, D Multiple Dwelling, E Multiple Dwelling, and G Local Business. As a result of the update, the zoning changed to R-4 Residential, R-5 Residential, R-6 Residential, R-7 Residential, and B-3 Commercial, which substantially reflected the previous zoning.

HISTORY OF OTHER RESIDENTIAL DOWNZONING:

- | | |
|-----------|--|
| Jan 2004 | Change of Zone #3424 from R-4, R-5, and R-6 Residential to R-2 Residential was approved for an area within the Everett Neighborhood. |
| Sept 2003 | Change of Zone #3416 from R-4 Residential to R-2 Residential was approved for an area within the Witherbee Neighborhood. The Planning Department recommended denial and suggested the issue of downzoning established neighborhoods should be further studied. |
| Aug 2003 | Change of Zone #3412 from R-4 Residential to R-2 Residential was approved for an area within the Antelope Park Neighborhood. The Planning Department recommended approval. |
| Apr 2003 | Change of Zone #3397 from R-4 Residential to R-2 residential was approved for an existing landmark district within the Near South Neighborhood. The Planning Department recommended approval. |
| Oct 2002 | Change of Zone #3378 from R-5 and R-6 Residential to R-2 Residential was approved within the existing Mount Emerald Neighborhood Landmark District. The Planning Department referred to new language in the recently adopted Comprehensive Plan on preserving the character of the existing neighborhoods. |
| Feb 2002 | Change of Zone #3354 from R-4 Residential to R-2 Residential was approved for an area within the Antelope Park Neighborhood. The Planning Department recommended denial. |
| Jun 1995 | Change of Zone #2890 from R-4 Residential to R-2 Residential was approved for a small area of the Near South Neighborhood located at 27 th and Washington Streets. The Planning Department recommended denial. |

COMPREHENSIVE PLAN SPECIFICATIONS: The Comprehensive Plan shows the requested area as Urban Residential. (F 25)

Urban Residential: Multi-family and single-family residential areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling unit per acre. (F 27)

COMP PLAN SPECIFICATIONS THAT SUPPORT THIS CHANGE OF ZONE:

One *Quality of Life Asset* from the *Guiding Principles from the Comprehensive Plan Vision* states:

The community continues its commitment to neighborhoods. Neighborhoods remain one of Lincoln's great strengths and their conservation is fundamental to this plan. (F 15)

Preservation and renewal of historic buildings, districts, and landscapes is encouraged. Development and redevelopment should respect historical patterns, precedents, and boundaries in towns, cities and existing neighborhoods. (F 17)

The **Overall Guiding Principles** for future residential planning include:

One of Lincoln's most valuable community assets is the supply of good, safe, and decent single family homes that are available at very affordable costs when compared to many other communities across the country. Preservation of these homes for use by future generations will protect residential neighborhoods and allow for many households to attain the dream of home ownership. (F 65)

The **Guiding Principles for Existing Neighborhoods** include:

Preserve, protect, and promote city and county historic resources. Preserve, protect and promote the character and unique features of rural and urban neighborhoods, including their historical and architectural elements. (F 68)

Preserve the mix of housing types in older neighborhoods. (F 68)

Promote the continued use of single-family dwellings and all types of buildings, to preserve the character of neighborhoods and to preserve portions of our past. (F 68)

Strategies for New & Existing Residential Areas

Single family homes, in particular, add opportunities for owner-occupants in older neighborhoods and should be preserved. The rich stock of existing, smaller homes found throughout established areas, provide an essential opportunity for many first-time home buyers. (F 72)

Strategies for Existing Residential Areas

In existing neighborhoods adjacent to the Downtown, retain existing predominately single family blocks in order to maintain the mix of housing types. The current mix within each neighborhood provides ample housing choices. These existing neighborhoods have significantly greater populations and residential densities than the rest of the community. Significant intensification could be detrimental to the neighborhoods and be beyond infrastructure capacities. Codes and regulations which encourage changes in the current balance of housing types, should be revised to retain the existing character of the neighborhoods and to encourage maintenance of established older neighborhoods, not their extensive conversion to more intensive uses. (F 73)

Develop and promote building codes and regulations with incentives for the rehabilitation of existing buildings in order to make it easier to restore and reuse older buildings. Encourage reconversion of single family structures to less intensive (single family use) and/or more productive uses. (F 73)

COMP PLAN SPECIFICATIONS THAT ARE NEUTRAL TO THIS CHANGE OF ZONE:

The **Guiding Principles for the Urban Environment: Overall Form** include:

Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. (F 17)

The **Guiding Principles for the Urban Environment: Residential Neighborhoods** include:

Construction and renovation within the existing urban area should be compatible with the character of the surrounding neighborhood. (F 18)

Provision of the broadest range of housing options throughout the community improves the quality of life in the whole community. (F 65)

Evaluate the provisions for accessory dwelling units in residential areas. (F 72)

AESTHETIC CONSIDERATIONS: Many of the homes in the area appear to be of the same vintage, with similar architectural characteristics, and are historically important. The streetscapes appear consistent with older single-family areas; there is a rhythm to the size and shape of houses, there is some, but not a significant amount of parking on the streets, and many homes are still single-family.

ANALYSIS:

1. This is a request by the Near South Neighborhood Association to change the zoning for approximately 98 blocks within the Near South Neighborhood from R-4, R-5, R-6, and R-7 Residential and ~~B-3 Commercial~~ to R-2 Residential. The reason for the downzoning of this area is to preserve and enhance the single-family atmosphere of the area, prevent the overtaking of the neighborhood's infrastructure, rectify residential zoning inconsistent with the traditional and current property uses. The Applicant also wishes to protect the numerous historically important homes in the area from transition to multiple-family units through conversion of demolition.
2. A review process for change of zone proposals is not defined within the Zoning Ordinance. However, Neb. Rev. Stat. §15-902 provides a list of considerations that has traditionally been utilized for such reviews.
 - a. **Safety from fire, flood and other dangers.**
No apparent impact.
 - b. **Promotion of the public health, safety, and general welfare.**
This proposal appears to fulfill several of the policies and guidelines enumerated in the Comprehensive Plan. However, there are also several Comprehensive Plan policies and strategies that are neutral to this application or would suggest this downzoning is not appropriate.
 - c. **Consideration of the character of the various parts of the area, and their particular suitability for particular uses, and types of development.**
The housing within this proposed change of zone is primarily single-family, with some two-family and multiple-family units, and there are several blocks that have developed into predominantly multiple-family blocks. The majority of the approximately 1,545 primary residential structures appear to have been constructed as single-family homes and are still in that use today. There appears to be 245 two-family dwellings (490 units) and 242 multiple-family dwellings (1,256 units). Some of these have been converted from single-family dwellings, while others were constructed for their current use.
 - d. **Conservation of property values.**
It is difficult to determine the effect a change of zoning will have on property values. On one hand, property values could diminish if houses could no longer be converted into duplexes, due to increased lot area requirements, or redevelopment for apartments. On the other hand, this may have the effect of encouraging home ownership, which could stabilize or increase property values.
 - e. **Encouraging the most appropriate use of land throughout the area zoned, in accordance with a comprehensive plan.**
The Comprehensive Plan encourages efficient use of existing infrastructure and diversity of housing choices. At the same time, the Comp Plan identifies Lincoln's commitment

to its neighborhoods, as well as an encouragement to preserve existing single-family homes for single-family uses. This area has developed over time as a predominantly single-family neighborhood, but now has approximately 29% (445 out of 1,540) of the parcels devoted to more than 1 family. However, these parcels provide almost 59% of all dwelling units (1,498 out of 2,552). This neighborhood is likely using its existing infrastructure as efficiently as it can with its current mix of development. This overall area appears to have reached a density comparable to other neighborhoods downzoned in recent years.

3. There are several differences between the R-2 district and the R-4, R-5, R-6, and R-7 district lot and area requirements. The table at the end of this report shows the requirements for residential uses in each district.
4. The uses allowed in these districts are quite similar. The permitted uses in the R-2 district do not include multiple-family or townhouse dwellings, as found in the R-5, R-6, and R-7 districts. The R-2 district conditional uses require a greater separation between group homes, and a less dense domestic shelter than the other districts. The R-2 district special uses add garden centers, clubs, and mobile home courts and subdivisions to the special uses typically found in the other districts.
5. All new construction of principal buildings in residential districts are required to meet the City of Lincoln Neighborhood Design Standards. These standards are designed to recognize that certain areas of Lincoln “retain much of the traditional physical character of their original lower density development,” even though they may have experienced recent higher density development. Since these standards have recently been applied to the R-2 district, these protections will not be lost if this application is approved.
6. LMC §27.61.040 provides that a nonconforming use “shall not be enlarged, extended, converted, reconstructed, or structurally altered unless such use is changed to a use permitted in the district in which the building or premises is located” or a special permit is obtained. Additionally, §27.61.050 provides nonconforming uses damaged to an extent of more than 60% of their value “shall not be restored except in conformity with the regulations of the district in which the building is located, or in conformance with the provisions of Chapter 27.75 [variance], or Section 27.63.280 [special permit].” There are 8 commercial uses that are now and will continue to be nonconforming, whether or not this change is approved.
7. LMC §27.03.460 defines nonstandard lots as those that fail to meet the minimum lot requirements for the district, such as lot area, lot width, density, setbacks, height, unobstructed open space, or parking.
8. LMC §27.61.090 provides that nonstandard uses, whether existent prior to the ordinance or due to changes in the zoning, may be enlarged, extended, or reconstructed as required by law for safety, or “if such changes comply with the minimum requirements as to front yard, side yard, rear yard, height, and unobstructed open space...”

9. LMC §27.13.080(g) of the R-2 district regulations provides that “multiple family dwellings existing in this district on the effective date of this title shall be considered nonstandard uses in conformance with the provisions of Chapter 27.61 [nonconforming and nonstandard uses].” This rule allows multiple-family dwellings built prior to May 8, 1979 to be reconstructed, altered, and restored after damage by treating such uses as nonstandard rather than nonconforming.
10. Therefore, any nonstandard residential use within this area, whether single-, two-, or multiple-family, may be altered or rebuilt provided it meets the setback and height requirements of the R-2 district. This may result in a slightly different building footprint, but there is no need under the current zoning ordinance for a variance or special permit if these requirements are met.
11. Should the owner of a nonstandard single- or two-family structure want to extend into one of the required yards, a special permit is available provided the structure does not extend further into the setback than it currently does. This special permit is available in any residential zoning district. The owner of a standard use, by comparison, would need to seek a variance from the Board of Zoning Appeals to occupy a required yard.
12. There are several adjacent R-2 districts, most notably located within the Mount Emerald and Franklin Heights Historic Districts, and the recently downzoned Everett Neighborhood adjacent to the west.
13. The Near South Neighborhood represents the outer edge of the Downtown residential areas. Surrounding this area are predominantly R-4, 5, 6, and 7 residential districts. The less dense residential areas do not begin to dominate until east of 27th Street and south of Van Dorn Street. This change will connect the R-2 zoning of the Mount Emerald and Franklin Heights historic districts with blocks of substantially similar character.
14. This area as a whole appears to be fully built. There appears to be no more than 6 vacant lots available, nor are there any large lots that could be accumulated and combined to produce an area large enough for multiple-family development. Therefore, the primary opportunity for additional two- or multiple-family residences appears to be converting existing single-family dwellings.
15. An argument can be made that reducing the density in the city effectively increases the need for more units in another location, namely the edge of the city, which increases the burden for all taxpayers by creating the need to fund new infrastructure. By retaining the existing zoning districts in this location, a greater number of housing units may be supplied through infill development and reuse of existing structures.

However, the Comp Plan also advises us to “preserve, protect and promote the character and unique features of rural and urban neighborhoods, including their historical and architectural elements.” One way to do that in areas such as Near South would be to “retain existing predominately single family blocks in order to maintain the mix of housing types.” The Comp Plan recognizes the current mix within neighborhoods near Downtown provides ample housing choices. “These existing neighborhoods have significantly greater populations and residential densities than the rest of the community. Significant intensification could be detrimental to the neighborhoods and be beyond infrastructure capacities.”

16. The Planning Department has used the terms “tipping point” and “carrying capacity” in recent discussions involving downzoning, although these terms are not explicitly defined. These terms are used to identify the concept of a point at which a neighborhood will have a certain mix of single-, two-, and even multiple-family dwellings that works well for the existing infrastructure and for encouraging reinvestment. The occurrence of this point will depend on infrastructure factors such as water and sewer capacities, traffic capacities, and availability of off-street parking, as well as character and compatibility with the surrounding neighborhood, and a recognition of the historic development pattern and the expectations of current residents. Each neighborhood not only has its own tipping point, but that point may change as the contributing factors change.
17. The Planning Department recommends the balance between an appropriate mix of single-, two-, and multiple-family residences currently exists within this neighborhood. The existing density of this area is 7.6 units per acre, which compares to densities of 3.8 to 6.5 units per acre in the neighborhoods where R-2 zoning was approved under the current Comp Plan. Additional two-, and multiple-family dwellings would impact the availability of off-street parking, may cause increased congestion on narrow streets, and could disrupt the character of the neighborhood. Certainly, it is possible to design dwellings that respect and address these types of concerns. But the reality is the City cannot impose regulations on future dwellings holding them to a higher standard based upon the characteristics of a specific neighborhood.
18. Although the overall density is higher than other recently downzoned areas, there is a wide variety of densities between smaller subareas of the Near South Neighborhood. While the density of an area can be manipulated by changing the boundary of an area, Applicant does not request to rezone all high density uses. Pockets of R-5, R-6, and R-7 zoning will remain on particular blocks that have reached a “point of no return” where the existing number of units and types of structures make it unlikely they will be replaced with single-family dwellings.
19. The only boundary change Planning Staff recommends is to remove those lots between 22nd and 24th Streets, on the south side of “A” Street. These lots are developed as single-family, but located between multiple-family uses. It would be appropriate to eliminate the sawtooth appearance of the boundary, and reflect the predominant use of these blocks.
20. There are still existing opportunities for multiple-family development near Downtown and in older neighborhoods, including:

Downtown: 7th to 17th, G to UNL campus, is predominantly B-4 and R-8 zoning. This area continues to see conversion to apartments and proposals for multi-story new construction.

Antelope Valley: Multi-story apartment development is encouraged in several areas, including the land immediately east of Downtown. There are opportunities for more “urban” apartments, higher than typical three-story apartment buildings.

University Place: North 33rd to North 56th, north of Leighton Avenue. The recent “North 48th Street/University Place” subarea plan identified areas for downzoning, but also areas to retain multiple-family zoning to permit further apartment development.

Near South: Even with this proposed downzoning to R-2, there are a substantial number of blocks remaining R-5, R-6, and R-7 where there are redevelopment opportunities.

21. At the time of this report, the Applicant has stated they are working on a petition drive to demonstrate neighborhood support.

Prepared by:

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Date: March 3, 2005

Applicant: Near South Neighborhood Association
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Contact: David Witters
1908 "C" Street
Lincoln, NE 68502

	R-2	R-4	R-5	R-6	R-7
Lot area , single family	6,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	4,000 sq. ft.	4,000 sq. ft.
Lot area, two family	5,000 sq. ft. / family	2,500 sq. ft. / family	2,500 sq. ft. / family	2,500 sq. ft. / family	2,000 sq. ft. / family
Lot area, townhouse	N/A	N/A	2,500 sq. ft. / family	2,500 sq. ft. / family	2,000 sq. ft. / family
Lot area, multiple-family	N/A	N/A	1,500 sq. ft. / unit	1,100 sq. ft. / unit	700 sq. ft. / unit
Avg. lot width , single family	50 feet	50 feet	50 feet	50 feet	50 feet
Avg. lot width, two family	40 feet / family	25 feet / family	25 feet / family	25 feet / family	25 feet / family
Avg. lot width, townhouse	N/A	N/A	20 feet / family	20 feet / family	20 feet / family
Avg. lot width, multiple-family	N/A	N/A	50 feet	50 feet	50 feet
Front yard , single-family	25 feet	25 feet	25 feet	20 feet	20 feet
Front yard, two family	25 feet	25 feet	25 feet	20 feet	20 feet
Front yard, townhouse	N/A	N/A	20 feet	20 feet	20 feet
Front yard, multiple-family	N/A	N/A	20 feet	20 feet	20 feet
Side yard , single family	5 feet	5 feet	5 feet	5 feet	5 feet
Side yard, two family	10 feet, 0 at common wall	5 feet, 0 at common wall	5 feet, 0 at common wall	5 feet, 0 at common wall	5 feet, 0 at common wall
Side yard, townhouse	N/A	N/A	10 feet, 0 at common wall	5 feet, 0 at common wall	5 feet, 0 at common wall
Side yard, multiple-family	N/A	N/A	7 feet, 10 if over 20 feet in height	7 feet, 10 if over 20 feet in height	Total of 15 feet, min. 7 / side
Rear yard	Smaller of 30 feet or 20% of depth	Smaller of 30 feet or 20% of depth	Smaller of 30 feet or 20% of depth	Smaller of 30 feet or 20% of depth	Smaller of 30 feet or 20% of depth

CHANGE OF ZONE NO. 05014

PUBLIC HEARING BEFORE PLANNING COMMISSION:

March 16, 2005

Members present: Sunderman, Taylor, Marvin, Pearson, Carroll, Krieser, Larson and Bills-Strand (Carlson declared a conflict of interest).

Staff recommendation: Conditional approval.

Ex Parte Communications: None.

Greg Czaplewski of Planning staff submitted two letters in opposition, an additional 21 letters in support and a letter in support from Police Chief Tom Casady.

Czaplewski also submitted a revised legal description. The description for this area continued to evolve while the staff report was being finalized and Exhibit B is a legal description that matches the map in the staff report on p.213. The legal description in the report includes some areas that the applicant and Planning Department agreed to remove from the application.

Exhibit C represents another legal description, which removes some lots on the south side of A Street so that the entire strip along the south side of "A" Street would remain R-6. Czaplewski believes the Near South Neighborhood Association has agreed to Exhibit C as the legal description for this change of zone.

There are no longer any changes from B-3 to R-2. There are several properties changing to P Public Use.

In addition, the Near South Neighborhood Association has requested to remove several additional properties from this application, which Czaplewski marked on the map. The additional changes include two lots that remain R-5, and four lots and another block face that remain R-6.

Bills-Strand commented that it looks like a lot of spot zoning.

Pearson recalled that this is something similar to what was done about six months ago over by South Street. Czaplewski believes that there were a couple of areas ultimately added by City Council in that case, as opposed to removing any.

Proponents

1. David Witters, 1908 C Street, Board member of Near South Neighborhood Association and Chairman of the Zoning Committee, testified on behalf of the Association in support. The purpose of this change is to align the properties in Near South more close to their actual use:

- The areas that are predominantly single family would become R-2;
- the areas predominantly multi-family would not be changed;
- the P designations are for the park areas;
- the intent is to maintain the current balance of density, with a nice mix of both multi-family and single family homes;
- to maintain and protect the historic properties in the area; and
- to encourage revitalization and investment by all property owners.

Witters then discussed the process that the Association went through, including inviting the neighbors to attend the Board meetings. The separate areas that are predominantly multi-family were identified and have been left alone. They did attempt to keep the blocks together. The boundaries were a judgment call and it was difficult because of the mix of single family and multi-family on the same block. The Board then worked with the Planning Department in coming up with the boundaries and the Association incorporated some of the changes recommended by the staff. At that point, a letter was sent to all of the property owners and they had a public meeting; which resulted in a few other modifications. The Neighborhood Association is requesting that the Planning Commission approve Exhibit C, plus the additional changes submitted today.

What does this mean for property owners? Existing single family homes will enjoy better protection; multi-family will be designated nonstandard and will receive protection defined by zoning regulations, including grandfathering and the current use can be allowed to continue and can be sold as is. They can add on and extend as long as they meet the setback requirements. They can rebuild if they remain within the setbacks. If it would burn completely to the ground and their footprint would exceed the setbacks they can apply for special permit.

In summary, Witters explained that this application has been two years in the process; they have worked with the neighbors; all of the property owners are protected; the historic properties are protected; and it is good for the neighborhood.

Bills-Strand inquired whether Witters believes that all R-4 should be changed to R-2 anywhere in Lincoln. Witters explained that they want to protect the historic homes and keep them from being cut up or razed, and the R-2 will provide that. He would not say that is true for all areas. The Mt. Emerald district has already been protected by changing the zone previously.

2. Greg McCown, 1970 B Street, testified in support as a real estate agent, a landlord and a resident in Near South. There is no other area in Lincoln where he would rather live. It is close to a vibrant downtown, the mixed use environment is very nice, and the historic character that the Near South has is undeniably a benefit. He has sold many homes in this area, and within the last 2-4 years there has been a very strong movement of families coming back into the area and looking for affordable housing, which Near South does have. This change of zone allows confidence to these families that move in, showing that the community has dedicated themselves to protecting these historic dwellings.

As a landlord, McCown hopes the increased pride of ownership will be seen throughout the neighborhood. Many renters enjoy the historic aspect.

As a property owner, McCown explained that he purchased a duplex for \$69,000. He de-converted the house as his family grew. The conversion did not reduce the value of the home. It actually increased by \$15,000 to \$20,000, and he sold it two years ago for \$187,000. It has been found that de-conversion does have a positive impact on the values.

By encouraging both home ownership and rental opportunities, McCown suggested that this change makes the neighborhood better for everyone involved.

Carroll suggested that reducing the density reduces the ability for affordable housing because it reduces the availability of rentals, duplexes and townhomes that can be built in the area. McCown believes the density is about 7.6 dwelling units/acre, as opposed to some of the suburban areas that are 3 dwelling units/acre. The Near South residents are happy with the situation as it is. He does not believe this change necessarily removes density.

If the mix is acceptable now, Carroll does not understand why it needs to be downsized to the density of R-2. McCown explained that they are encouraging this status quo. They are not looking to reduce the densities. Carroll suggested that R-2 does reduce the density. McCown pointed out that duplexes can exist within the R-2. The trends that we see may inevitably decrease the density because there are some homes that are better suited for the de-conversion, but he does not believe that will affect the overall densities that much.

Pearson inquired as to how many new homes were built in this area in the last five years. McCown did not know.

Marvin asked whether McCown agrees that the area is to be fully built. There appear to be no more than six vacant lots available nor lots large enough for multi-family development. McCown agreed with the statement in the staff report. And Chief Casady agrees that higher density brings some issues and some problems. The Near South Neighborhood is looking for status quo.

Carroll inquired what people are told who purchased multiple lots banking on R-5 and R-6 zoning. McCown has never entered into that situation; however, from his own experience, he has never had an investor look to buy several houses in a row for future development. Carroll inquired whether the Association came across people that have lots in multiple ownership. McCown was not involved in setting the boundaries for this change.

Bills-Strand asked McCown whether people ask about the zoning when they are looking at houses to purchase. McCown agreed that most people do not. Bills-Strand then referred to 19th and Dakota, where there is a 4-plex, a duplex, single family and three single family across the street. She asked McCown whether he believes there is a difference in values compared to the Near South neighborhood. McCown stated that he has had to adjust values many times because of the proximity to apartments.

Bills-Strand further pointed out that 19th and Dakota is zoned R-4 with a wonderful 4-plex and duplex and those houses sell like hot cakes in that area. She thinks there is a use for R-4 zoning. McCown agrees that there is a use throughout Lincoln, but the Near South has an abundance of historic context that has an intrinsic value for the community.

3. Doug Naegele, 1805 B Street, testified in support. He appreciates the historic, older homes and what they can provide that cannot be provided by a newer home. He restored the 80-year-old home at 1805 B Street, which he believes has helped restore the neighborhood.

4. Matt Hanson, 1970 B Street, Apt. #4, testified in support as a renter. He believes that this change respects the historic mixture of single family and multi-family dwellings in the neighborhood, and helps to protect the historic integrity of the single family homes, which is one of the reasons he enjoys living in the neighborhood.

5. Bob Kuzelka, 1935 A Street, testified in support. He has lived in the neighborhood since 1969, and he has owned property at 1935 A Street since 1976. He expressed his support for this downzoning with some questions, concerns and suggestions. He is especially impressed with the downzoning in three subareas he marked on the map. His concern is with the remaining L-shaped subarea on the A and 18th Street corridors. This is a very mixed development area and certainly is not as homogenous as the other areas. Therefore, this subarea needs special consideration and perhaps a more unique zone than R-2. Kuzelka suggested it was clearly a poor choice when Near South was zoned R-5 and R-6. And we need to make sure that the blanket downzone to R-2 is not an equally poor choice.

Kuzelka then referred to two conversions near A and 18th Street, one being a duplex and one a triplex. Under the combination of existing city ordinances and codes and the new R-2 zoning, it would be impossible to rebuild these conversions. Yet both are historic and as much of the unique fabric as the house at 20th & Washington or the Castle at 19th and B. This bar to reconstruction would be a significant financial loss and property value to these property owners. He believes there are a lot of instances like this in this change of zone.

Kuzelka encouraged the Commission to approve the downzoning, but he would propose to develop a special exemption for unaltered buildings (with the exception perhaps of number of units) that were constructed before a certain date, such as 1930. Then if something happens, they could be rebuilt in the same lot footprint with the same building envelope. Such exemption would be subject to the review and approval of the Historic Preservation Commission. If we are interested in preserving the historic aspects, Kuzelka believes there is a need to think about more than just downzoning.

6. Tim Francis, 2511 T Street, testified in support. He lives in a R-6 zoned neighborhood and has two investment properties in R-6 in the Near South. He has represented sellers and buyers in both neighborhoods. He is interested in economics and supports this downzone and how it affects the neighborhood and the quality of life. A Street can absorb a certain amount of density and tip the scale away from the homeowners or the investors. The higher the density, the less maintenance. Landlords benefit greatly when their property is adjacent to owner-occupied homes. It is discouraging to try to sell an over-developed block with too much density. This change will benefit investors as well as homeowners. Maybe the R-6 was something that was “given” to the properties several years ago, and maybe we have now achieved the right level of density.

7. Kathy Beecham, 2540 C Street, testified in support. She chose Near South because of the nice diversity of the homes and the rentals. She believes there are great rental opportunities in the Near South and does not believe we need to lose any more historic homes to preserve that opportunity. This change protects the existing apartments as well as the historic homes. This does not try to reduce density, but to keep density from increasing further. They do not want to lose homes to more apartments. The Comprehensive Plan does put great emphasis on affordable housing. This plan helps provide more security for a homeowner’s investment. People will be encouraged to invest in older homes if they feel a little bit more protected. Near South is a part of our history and it is part of Lincoln’s heritage. We owe it to the next generation to be good stewards of our history and preserve the buildings for the future.

8. Wynn Hjermsstad, Community Development Manager of the Urban Development Department testified in support. The Urban Development Department advocates for older neighborhoods; one of the missions of Urban Development is to preserve and protect older neighborhoods. Many of our older neighborhoods are plagued by the problems created by unplanned density. Urban Development is not opposed to density when it is planned. In a lot of our older neighborhoods we see residential streets lined with cars because single family homes have been converted or slip-ins have been built.

Another one of the missions of Urban Development is to promote home ownership because we know that home ownership stabilizes neighborhoods. This change of zone will help preserve and protect this very important neighborhood.

Bills-Strand asked for Hjermstad's opinion as to the purpose of R-4 zoning. Hjermstad did not know. Bills-Strand believes that R-4 is a transitional zoning and we're skipping it going from one extreme to another. Hjermstad pointed out that there has been a lot of decline when we plopped a high density on top of single family zoning. Taking the high density away is not going to reduce what is already there, but it prevents any more, whether it be R-2 or R-4, etc. Bills-Strand suggested that skipping all the way from R-7 and R-6 to R-2 adds to the problem by taking away some of that affordable housing stock. She believes this creates a problem we are not foreseeing right now. Hjermstad agreed that we don't want to create problems trying to fix a problem, but because the area already is so developed, she is not sure it is as great a concern.

Opposition

1. Deanna Elikor, 4030 N. 57th, testified in opposition. She has an interest in property at 2430 B Street. The current Comprehensive Plan indicates that this area should be a high density area and the current zoning reflects that general condition. The general concentric planning, which may or may not be a theory applicable, indicates that the Downtown, inner rings and middle rings of the city will be the higher density growth areas. So over the past 30 years this issue has been brought up and things have been changed according to rather trendy issues more so than the protection of the interests of the neighborhood. She has been interested in historic planning and applauds protecting the historic value of this neighborhood; however, when this neighborhood was initiated, the city was of a much smaller size, and as the city has grown it has encompassed that neighborhood and other methods have been used to protect the historic flavor, including the R-C overlay and historic overlay districts.

Another trend is that there is lack of affordable housing, so maybe we need more housing and more available units in this neighborhood. Economic trends that affect the market are also being overlooked. There is a lot of influx into this neighborhood from other neighborhoods which have lost their densities, so this has brought higher densities and more cars, but that is happening in all areas of the city.

The trend to downzone is apparently happening in this city because this is the third area of which she is aware where a significant number of property owners have faced downzoning.

Near South is a neighborhood that wants to preserve their flavor but yet the people who have invested would also like to preserve the value of their property. She believes this creates a bias toward apartment owners. There was an R-C overlay on the northeast corner of A and 15th, which is a good representation of what an apartment building can be in the neighborhood. She would like to see equal protection and that the taking issues not be ignored.

Eliker believes that downzoning is bad policy for affordable housing and fails to accomplish the goals of the Comprehensive Plan.

2. Robert Chapman, 7150 S. Wedgewood Drive, testified in opposition. He owns both single family and multi-family properties in Near South. He is concerned about this proposal. If you study it in detail, the real purpose is to prevent additional multi-family and business units to be built in this area. He believes this is bad public policy. He has seen no data that substantiates any need for the change at all. There are a lot of questions that need to be asked and answers found before decisions are made.

Chapman believes the issue is “choice”. If everything is downzoned from all the different options available to R-2, it removes choices. It is the American way to have choices. Choices give us flexibility. Downzoning to R-2 leaves no flexibility.

Chapman also discussed the impact on Downtown. This Near South area has to feed the business and retail of Downtown Lincoln to keep it strong. Where is growth in Lincoln going to go? So far, it has been moving out to the outskirts of suburbia. We are forcing people to go out there because we have limited housing close to Downtown and, consequently, Downtown Lincoln is suffering.

Chapman also believes that “change” is another concept. The demographics need to be investigated. How many homes in Near South really contain families? We know that large families are kind of a trend of the past and smaller families are a trend of the future. We look at quality of life – what is the quality of life in Downtown/Near South as compared to the suburbia area? We need to know why people go to suburbia. We need answers on how to handle traffic and the number of cars. Why is New York City not covered with cars on the street? Could this be true in Lincoln? Is our mass transit inadequate?

Chapman also pointed out that there is great expense in rehabbing houses. The historical houses are beautiful in Near South and should be maintained, but he does not believe we need to go to R-2 zoning to protect them. We need to identify the number of homes that are deteriorating in Near South and how many new homes have been built in Near South.

Chapman also pointed out that his multi-family pays twice as much in taxes a year as his single family home. If we want to make property worth more money, we need to increase the value of that property, and one way to do that is to make it more productive and more efficient as a multi-family. He believes there are ways to make multiples look very handsome and really add to the decor of the area.

Response by the Applicant

Witters believes that the concept of having density in the center of the city is fine, but there has been quite a bit of development in Downtown for housing such as the Old Fed building, Haymarket, and 10th & O, and the University has been adding apartments to their property. Antelope Valley will add opportunities as well. This change does not shut off density—we just want to maintain it. Chief Casady points out that higher density relates to higher crime. It taxes our infrastructure to support the density. Near South was designed as a single family neighborhood. This will help preserve the historic properties. Apartment vacancy rates have more than doubled in the last five years.

Witters does not believe there is a place for R-4 in Near South. There has been over-development in the R-5 and R-6 areas. The neighborhood is fully developed. There is plenty of affordable housing in existence. He does not see the tax base being impacted by this change since everything is grandfathered.

Staff questions

Carroll inquired as to the number of parcels that will become nonstandard or nonconforming as a result of this change. Czaplewski did not know how many may change to nonstandard. There are some nonstandard now under the current zoning and this will remain the case. There are most likely going to be additional lots that will become nonstandard. He believes there are eight commercial uses that are now nonconforming that will continue to be nonconforming.

Carroll inquired as to the number of multi-family units that have been built in this neighborhood in the last two years. Czaplewski did not have that information.

Bills-Strand noted that the neighborhood design standards that were recently approved were made to protect these neighborhoods from apartments that do not blend in or new houses that do not blend in. Why jump all the way to R-2? Maybe we should just go from R-4 to R-2 in every neighborhood. No more multi-family in any neighborhood. Don't we want mixed use? What's wrong with R-4? What's wrong with the duplexes with a little bit less stringent rules? Czaplewski offered that the difference is that there would be more potential to add density to the area with R-4 zoning. That is why the applicant has chosen R-2.

Bills-Strand also suggested that when a property becomes nonstandard, it increase the cost of housing and loss of investment power.

Marvin Krout, Director of Planning, approached to differentiate between nonstandard and nonconforming. The whole idea of nonstandard in the R-2 is to create a situation that is more akin to a community unit plan. In most cases, you don't need a special permit to build a nonstandard welling back to the previous footprint. There may be some situations where a duplex has a 10' setback as opposed to a 5' setback, which is a problem. Krout suggested that there are solutions to making sure that it is easier to rebuild an existing duplex or multi-family unit in an area like this that was built under previous standards, but that would require an amendment to the R-2 zoning district. People are saying there is a flavor and character to this mix of uses and if every property that is out there is subject to the specifications of multi-family, you won't get the same stability and

you won't get the same reinvestment and you won't keep the mix of housing that is there today. R-4 relates to eight bedrooms on a single family lot. There are a lot of other areas identified for high density close to Downtown. The density and mix of uses in this neighborhood is something that should be preserved. You are always balancing different goals when dealing with the Comprehensive Plan. The neighborhood is not attempting to reduce the density, but retain the mix and density that is there today.

Krout also pointed out that the Comprehensive Plan talks about accessory apartment units in single family neighborhoods, and directs the staff and Planning Commission to consider that. That is different than adding density by R-4 zoning. It is more controlled because you are dealing with something that is truly accessory. That is another opportunity to add density but in a more careful way than to zone it to R-4.

Pearson inquired as to the history of zoning in Lincoln. Ed Zimmer of Planning staff stated that zoning grew out of an effort by the Chamber that first proposed a plan about 1923, and then waited for Supreme Court rulings to authorize that zoning could be employed. Zoning was not implemented and enforced in Lincoln until the late 1920's.

Pearson inquired whether it would be safe to say that zoning has increased in density in the center of town over the years, or would it have likely been immediately zoned higher? Zimmer explained that the categories have changed. There were apartment zones in the original scheme, and he believes they applied mostly closer to Downtown in the 17th to 13th corridor. He believes the Mt. Emerald area was single family and duplex zoned until some of the post World War II changes.

Zimmer believes the R-4 zoning category came out of the 1979 zoning update and part of that included a duplex category which was roughly the equivalent of R-4. In the original earliest schemes, there were single family, duplex and multiple zones, so there is a long tradition.

Sunderman inquired about the parking requirements of R-2, R-4, and R-5. Czaplewski advised that single family dwellings in R-2 and R-4 require two off-street parking spaces per dwelling unit for both single family and duplex. The R-5 and R-6 requirement is 1.75 spaces per unit. The R-7 and R-8 requirement is one space per unit.

Bills-Strand asked about the nonconforming businesses. Czaplewski stated that there are eight commercial uses that are now nonconforming and would continue to be so.

ACTION BY PLANNING COMMISSION:

March 16, 2005

Taylor moved approval of Exhibit C, with the changes submitted by staff today, seconded by Marvin.

Taylor is happy for this, especially in terms of this happening with the Planning staff in support rather than in opposition as in the past. He applauds the Association for making this application and doing a good job of preserving good housing in the Near South.

Marvin referred to Chief Casady's letter. Chief Casady believes this change of zone works to help reverse the trend of more crime. It creates trends where people want to move into the neighborhood and preserve the neighborhood. Marvin does not want people to move out of these neighborhoods. We need people to move back into the older neighborhoods. The zoning change that caps the density is something that is appropriate.

Larson stated that he will vote in favor; however, he is concerned that we keep downzoning the areas around Downtown and between Downtown and the suburbs. He believes that we are going to have problems with density if we keep on doing this. This is a huge area to downzone, but because it has a great deal of historic value, he will vote in favor.

Carroll commented that he understands what the neighborhood is trying to do, but he wishes there would be more transition between R-2 and R-6 and a better contiguous map. This causes confusion.

Pearson stated that she will support the change. She agrees that the map is imperfect, but we have neighbor after neighbor testifying in favor, and the only two in opposition do not live in the neighborhood. She understands that it will stabilize the density as opposed to increase the density.

Bills-Strand stated that she will vote against the change of zone. She loves this area, but she does not think we need to go to R-2. It is too big of a jump. It is going to put houses on nonconforming and nonstandard lots. There is a need for this density. There is a need for more housing, which is why there is so much going on in the Downtown area. She does not think going all the way to R-2 is the right thing to do. She reiterated what she has said previously, and that it that there needs to be a special committee to look at making some recommendations for zoning changes to protect this area instead of these blanket downzonings. She does not think it is the right step

Motion for approval carried 6-2: Taylor, Marvin, Pearson, Carroll, Krieser and Larson voting 'yes'; Sunderman and Bills-Strand voting 'no'; Carlson declared a conflict of interest. This is a recommendation to the City Council.

(Editorial Note: At the end of the meeting, the following clarification was made by the Director of Planning and the Chief Assistant City Attorney:

Marvin Krout, Director of Planning, clarified that a variance of lot standards to reduce the setback is not a "nonconforming" use. It is an issue of a "nonstandard lot" in the R-2 district and a variance of the zoning standards. The standards that the Board of Zoning Appeals must apply are different than "nonstandard", and the rules for rebuilding are different.

Rick Peo, Chief Assistant City Attorney, stated that the city does not have variances for nonconforming uses, only area variances. Basically, the city's category of nonconforming is that the use is not allowed in the district in which it is located. Nonstandard is a category of nonconforming, meaning the use is permitted but the lot is deficient for some particular reason. Unfortunately, we

have created a fictitious nonstandard use with these downzonings and, in the long term, we need to correct that situation so that we deal with nonstandard issues differently from nonconforming.

Krout also suggested that to be nonstandard in an R-2 district with a multi-family use is not as onerous as a typical nonconforming use in terms of rebuilding, insurance requirements, etc.)

Revised legal description as recommended by Planning Commission on March 16, 2005

Cahn's Subdivision, Lots 1-24
Lillibridge Subdivision, Lots 1-4, 6-9, 11-14, 15-18, 20-23, and 25-28
S.S. Chase's Subdivision, Lots 5-12, Block 1, Lots 3-8, Block 2
S.S. Chase's 2nd Subdivision, Lots 1-8, Block 1, Lots 1-8, Block 2
County Clerk's Subdivision, Lots F and G
A. Hurlburt's Subdivision, Lots 1-5 and the north ½ of the vacated alley adjacent thereto, Lots 6-8 and the south ½ of the vacated alley adjacent thereto, Block 1, Lots 1-3 and 8-10, Block 2
Newman's Subdivision, Lots A and B
Washington Place, Lots 1-18
William's Subdivision, Lots 1-8, Block 1, Lots 1-4 and 7-11, Block 4, Lots 1-8, Block 5
C. C. Burr's Subdivision, Lots 1-12, Block 2, Lots 1-18, Block 3, Lots 1-8, Block 4, Lots 1-6, Block 5, Lots 1-27, Block 6, Lots 9-16, Block 8, Lots 1-16, Block 9, Lots 1-8, Block 10
Miller and Winship Subdivision of Block 4, C.C. Burr's Subdivision, Lots A, B, and C
Roselyn Terrace, Lots 1-4
Yates and Thompson's Subdivision, Lots 1-7 and 10-24
O. Burlingame's Subdivision, Lots 1-22
Johnson's Subdivision, Lots 1-25
Electric Park Addition, Lots 11-17, Block 1, Lots 1-10, Block 2
Maxwell Addition, Lots 13-15
W. W. Holmes Subdivision, Lots 3-6 and 17-26
Wallingford and Shamp Addition, Lots 1-10 and 15-24
Prospect Subdivision, Lots 1-19 and 24-42
Hazard Addition, Lots 6-26
Rathbone's Prescott Addition, Lots 1-11
E. T. Huff's Subdivision, Lots 1-23
Eldredge's Addition, Lots 1-10 and 13-24
Tucker Addition, Lots 1-13 and 15-26
Harwood's Addition, Lots 1-13, Block 1, Lots 1-9 and 13-16, Block 2, Lots 1-18, Block 3
Replat Lot 17-18, Block 2, Harwood's Addition, Lots A, B, C, and D
College Hill Subdivision, Lots 1-24
Pleasant Hill Subdivision, Lots 5-8, Block 1, Lots 7-12, Block 2, Lots 10-12, Block 3, Lots 1-6, Block 4, Lots 1-9, Block 5, Lots 1-18, Block 6, Lots 1-18, Block 7, Lots 10-11, Block 8, Lots 1-9, Block 9, Lots 1-14, Block 10, Lots 1-14, Block 11, Lots 1-14, Block 12
Replat of Prospect Place, Lots 1-5
Ames Subdivision of Lots 6-8 and 12-14 Replat of Prospect Place, Lots 6-11 and 13
Hardenburgh's Subdivision of S2 Lot 11 NE4 36-10-6, Lots 1-26
Beecher Heights, Lots 1-20
College Summit Addition, Lots 7-12, Block 1, Lots 1-12, Block 2, Lots 1-12 and the vacated alley adjacent thereto, Block 3, Lots 7-12, Block 4
Ames Subdivision of Lot 10 NE4 36-10-6, Lots 7-12, Block 1, Lots 1-12, Block 2, Lots 1-12, Block 3, Lots 7-12, Block 4
W. H. Irvine's Subdivision, Lots 10-18, Block 1, Lots 4-6, Block 2, Lots 1-6, Block 3, Lots 1-12, Block 4, Lots 1-6, Block 5
E. R. Bing's Subdivision, Lots A, B, C, D, and E
Faulkner's Subdivision, Lots A, B, C, and D
Hardenburgh's Subdivision of Lot 7 NE4 36-10-6, Lots 1-3, North ½ of Lot 7, 12-16, 20-27, and 32-36

Dobb's Subdivision of Lots 4-6 Hardenburgh's Subdivision of Lot 7 NE4 36-10-6, Lots A, B, C, and D and the vacated alley located therein

W. A. Hackney's Addition, Lots 1-20, Block 1, Lots 1-4, Block 2, Lots 1-8, Block 3, Lots 1-20, Block 4

Woods Bros. and Kelley's Park Addition, Lots 1-8, Block 1, Lots 1-8, Block 2, Lots 1-7, Block 3,

all located in Section 36-10-6, Lancaster County, Nebraska, and,

Capitol Addition, Lots 10-12, Block 3, Lots 7-12, Block 4, Lots 1-12, Block 8, Lots 1-6, Block 9, Lots 7-10, Block 10, Lots 1-3 and 10-12, Block 12, Block 14

Delia Smith Subdivision, Lots 10-12

Jessie A. Smith Subdivision, Lots 7-10

W. G. Houtz Addition, Lots 1-10, Block 5, Lots 1-10, Block 6

McLaughlin Subdivision, Lots A, B, C, and D

W. G. Houtz 2nd Addition, Lots 1-10, Block 2

Houtz Place, Remaining portions of Lots 17-19, Lot 20, and the South $\frac{1}{2}$ of the vacated alley adjacent to the remaining portion of Lot 19 and to Lot 20, Block 2, Lots 15-20, Block 3, Lots 22 and 23, Block 4, Lots 5-10, Block 5, Lots 1-16, Block 6, Lots 1-10, Block 7, Lots 1-12, Block 8, Lots 1-12, Block 9, Lot 9 and those portions of Lots 8 and 10 and the vacated alley lying SW of Capitol Parkway, Block 10

Gehrke's Re-Subdivision, Lots A, B, C, and D

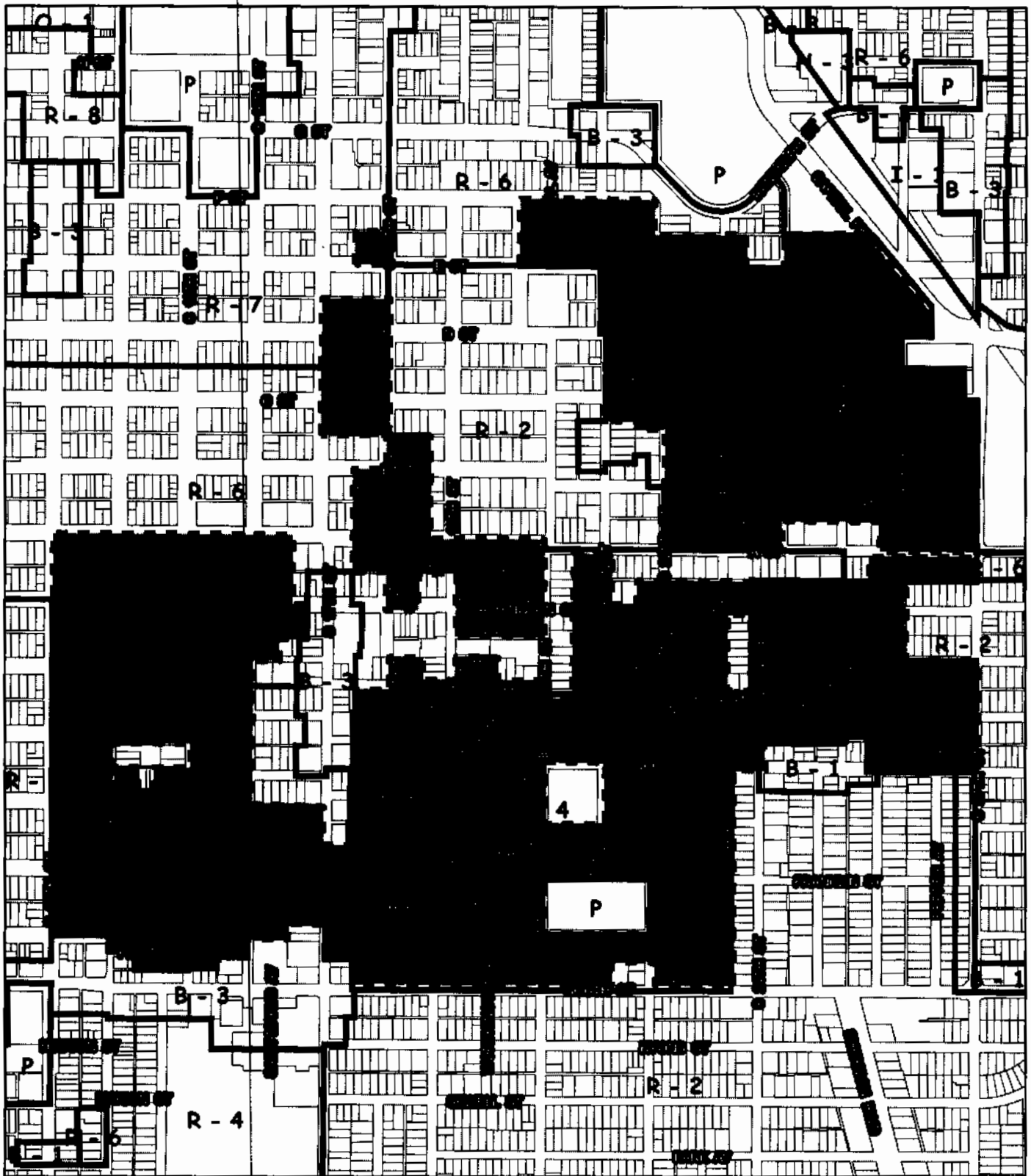
Hillsdale, Lots 1-12, Block 1, Lots 1-12, Block 2, Lots 1-12, Block 3, Lots 1-3 and the east $\frac{1}{2}$ of the vacated alley adjacent thereto, and Lots 17-18 and the west $\frac{1}{2}$ of the vacated alley adjacent thereto, Block 6, Lots 1-18, Block 7, Lots 1-18, Block 8, Lots 1-12, Block 9, Lots 1-12, Block 10

Hillsdale 2nd Addition, Lots 9-15 and the south $\frac{1}{2}$ of the vacated alley adjacent thereto, Block 1, Lots 1-12, Block 2, Lots 1-12, Block 3, Lots 1-18, Block 4, Lots 1-18, Block 5, Lots 1-18, Block 6, Lots 1-16 and the vacated alley therein, Block 7, Lots 1-6 and 11-12, Block 8, Lots 1-6, Block 9

all located in Section 25-10-6, Lancaster County, Nebraska, and,

Dawson's Addition, Lots 1-12, Block 43, Lots 1-12, Block 44, Lots 1-12, Block 45, Lots 1-12, Block 46, Lots 1-12, Block 47, Lots 1-12, Block 48

located in Section 35-10-6, Lancaster County, Nebraska.



Zoning:

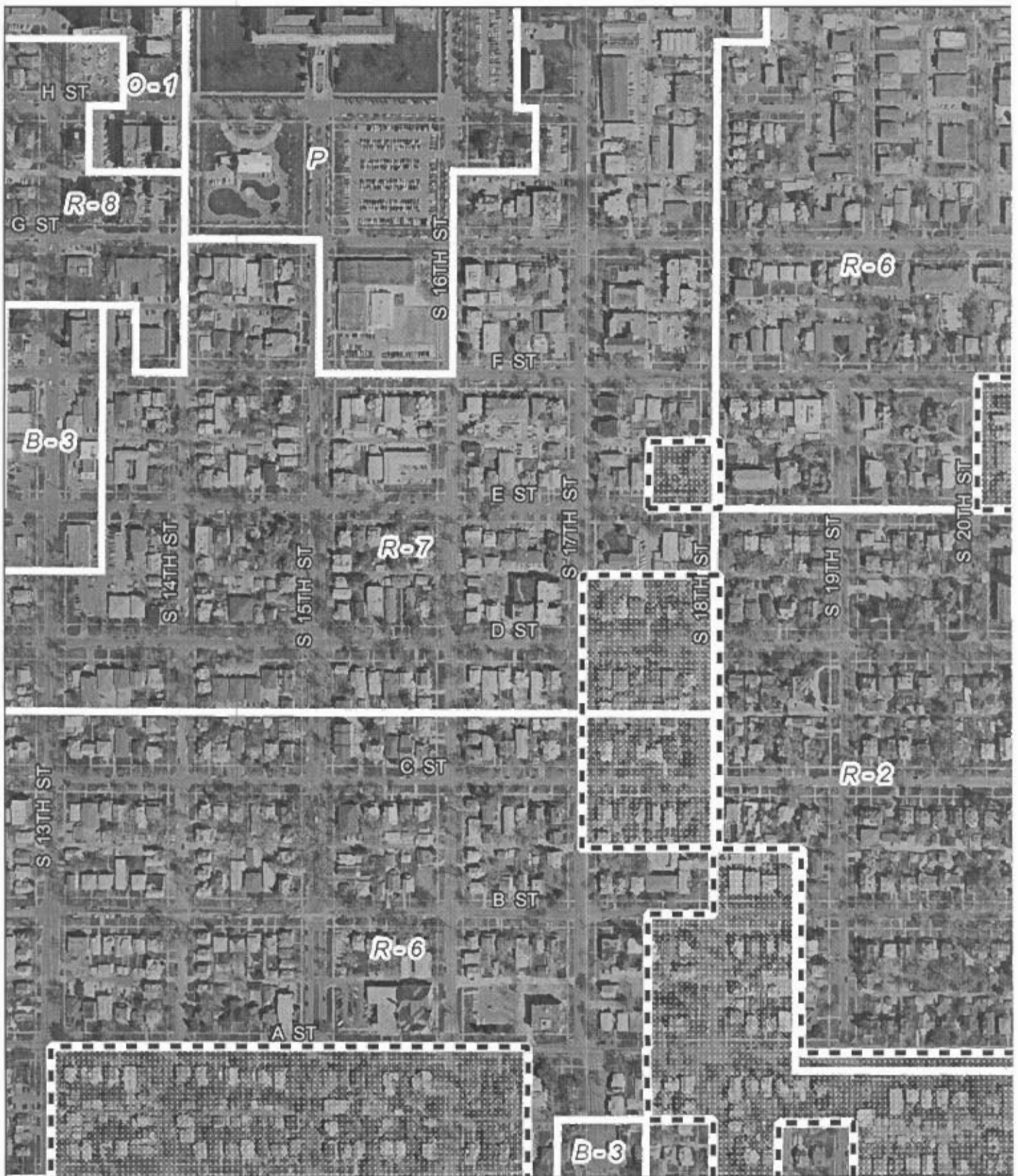
Change of Zone #05014 Near South Neighborhood

As recommended by Planning

Commission: 03/16/05

R-1 to R-8	Residential District	B-3	Commercial District
AG	Agricultural District	B-4	Lincoln Center Business District
AGR	Agricultural Residential District	B-5	Planned Regional Business District
R-C	Residential Conservation District	H-1	Interstate Commercial District
O-1	Office District	H-2	Highway Business District
O-2	Suburban Office District	H-3	Highway Commercial District
O-3	Office Park District	H-4	General Commercial District
R-T	Residential Transition District	I-1	Industrial District
B-1	Local Business District	I-2	Industrial Park District
B-2	Planned Neighborhood Business District	I-3	Employment Center District
		P	Public Use District





Zoning:

2002 aer

Change of Zone #05014 Near South Neighborhood

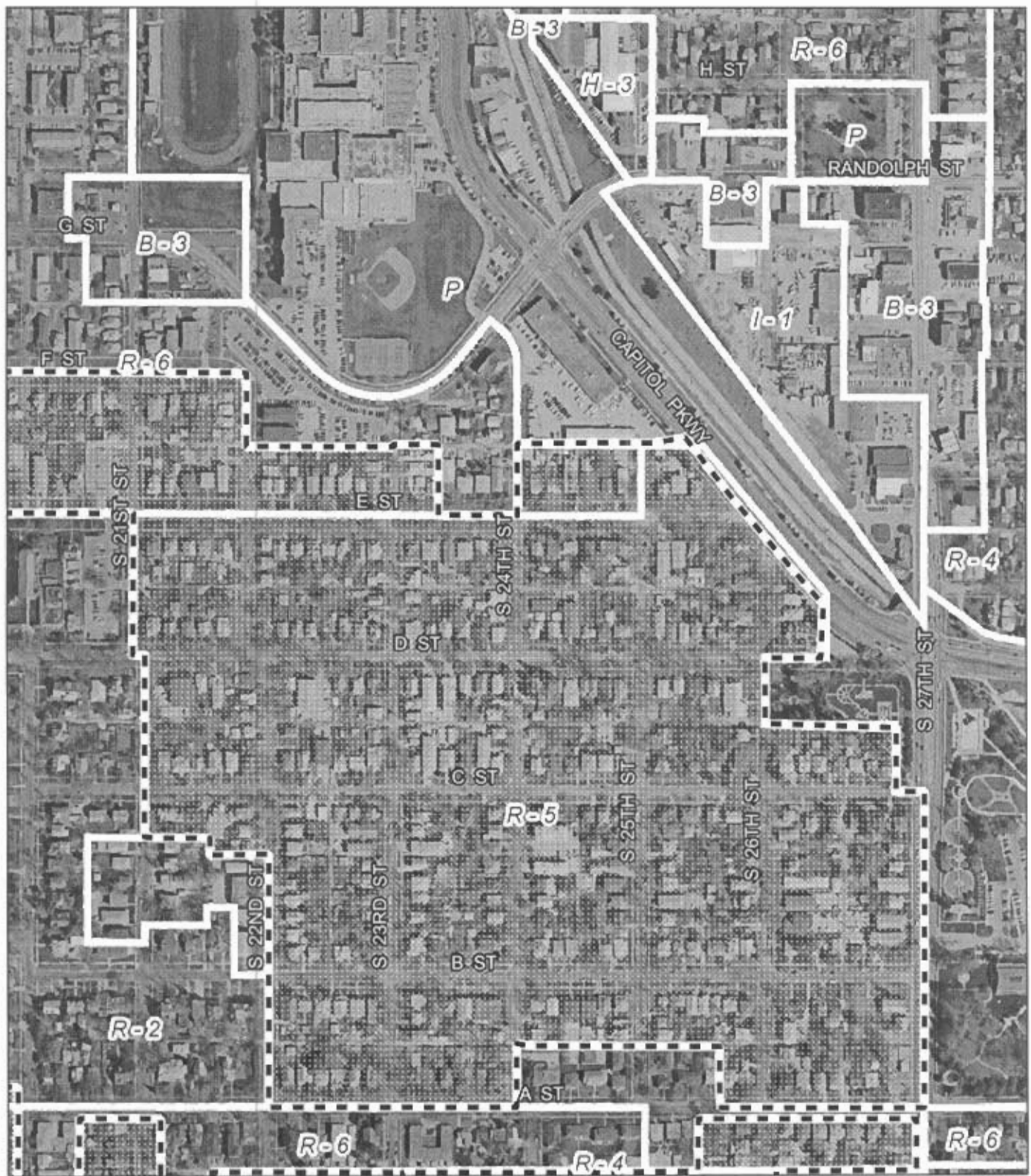
Sheet 1

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
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B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

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Zoning:

2002 aerial

Change of Zone #05014 Near South Neighborhood

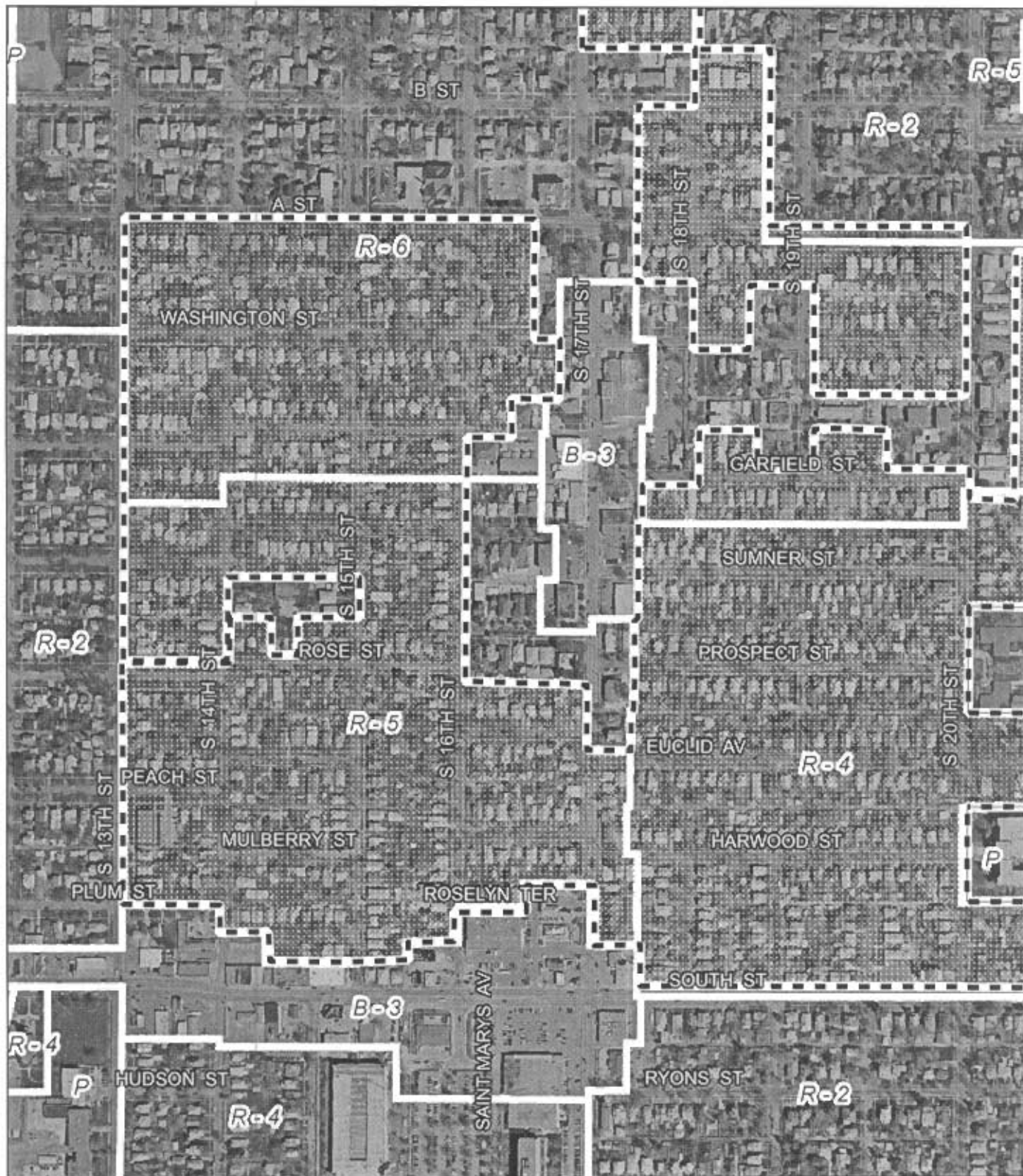
Sheet 2

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
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B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

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Zoning:

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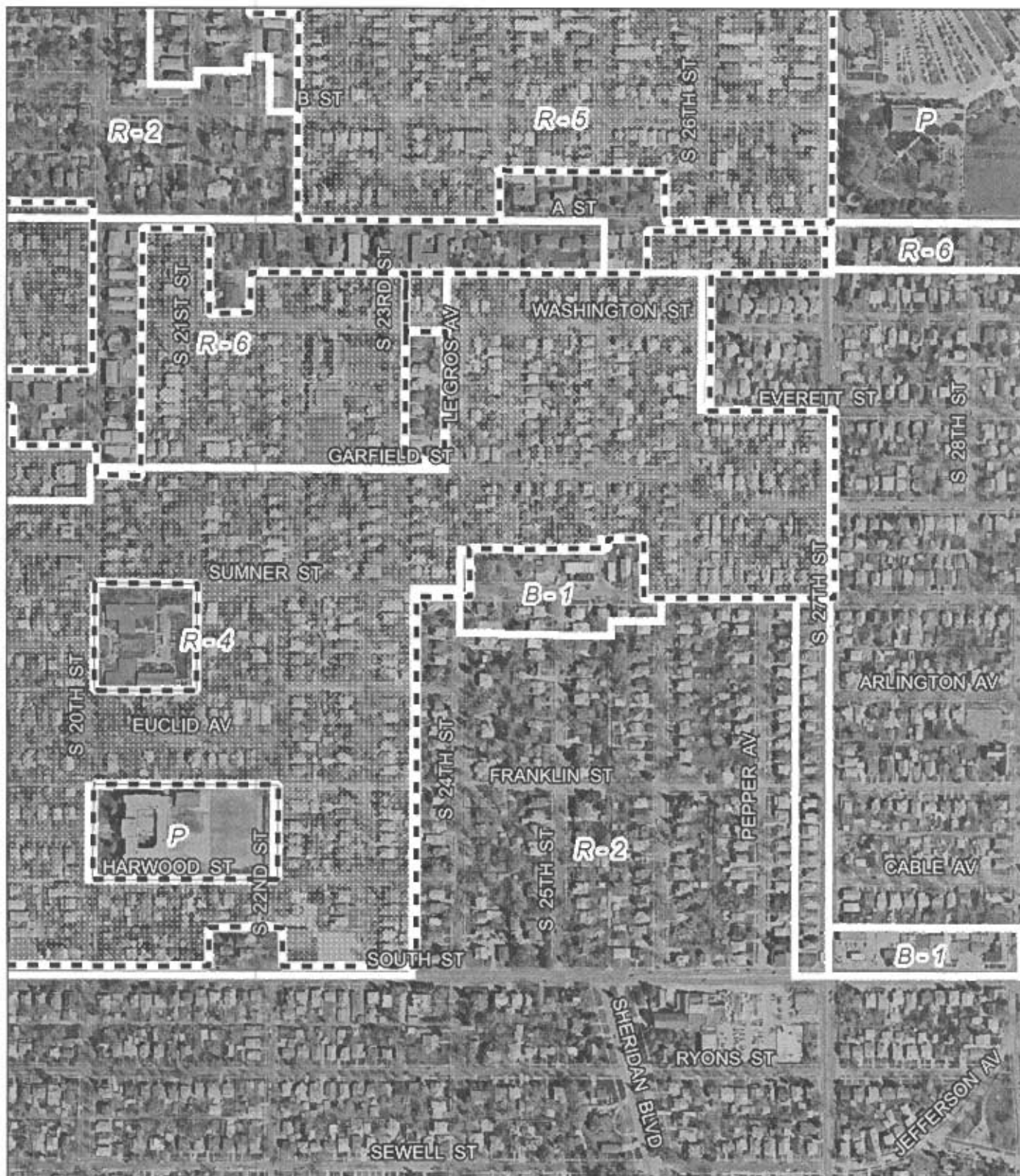
Change of Zone #05014 Near South Neighborhood

Sheet 3

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District

B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District





Zoning:

2002 aerial

Change of Zone #05014 Near South Neighborhood

Sheet 4

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District

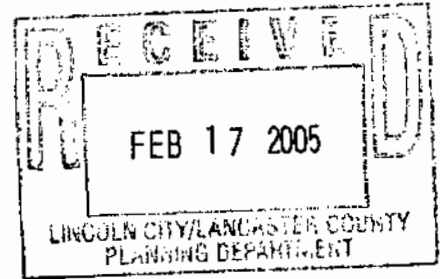
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

NON-STANDARD LOT SIZE CALCULATIONS

CHANGE OF ZONE 05014: Near South Neighborhood Proposed Downzoning

Current Zoning District	Land Use	Total Lots (Parcels)	Zoning Requirements	Number Of Non-Standard Lots (Parcels)	Percent Non-Standard
R-7	Single Family	5	4,000 Square Feet	2	40.0%
	Duplex	4	4,000 Square Feet	1	25.0%
	Multiple	6	700 Sq. Ft. per Unit	1	16.7%
R-6	Single Family	194	4,000 Square Feet	37	19.1%
	Duplex	64	5,000 Square Feet	21	32.8%
	Multiple	84	1,100 Sq. Ft. per Unit	11	13.1%
R-5	Single Family	240	5,000 Square Feet	108	45.0%
	Duplex	35	5,000 Square Feet	11	31.4%
	Multiple	65	1,500 Sq. Ft. per Unit	37	56.9%
R-4	Single Family	601	5,000 Square Feet	140	23.3%
	Duplex	136	5,000 Square Feet	23	16.9%
	Multiple	43	5,000 Square Feet	3	7.0%

Proposed Zoning District	Land Use	Total Lots (Parcels)	Zoning Requirements	Number Of Non-Standard Lots (Parcels)	Percent Non-Standard
R-2	Single Family	1,040	6,000 Square Feet	481	46.3%
	Duplex	239	10,000 Square Feet	237	99.2%
	Multiple	198	6,000 Square Feet	34	17.2%



Planning Department
February 17, 2005

Please find attached our application to rezone portions of the Near South Neighborhood. Our NSNA zoning committee has been working on this project following the successful rezonings of our Historic Landmark districts of Mount Emerald and Franklin Heights. It is our belief that these changes have resulted in stabilization of the neighborhood, promoted reinvestment, and increased property values.

It is our desire, therefore, to pursue another rezoning of additional sections of our neighborhood (see attached legal descriptions and map). We have attempted to also include changes to P for our neighborhood parks and public spaces. The area of Near South bounded by 13th to 17th, A to G Streets is specifically not included because it represents our Urban Development Focus Area. This area will be the subject of a specific focus plan to be addressed separately in the near future.

We thank you in advance for your help and consideration in this matter. Please feel free to contact us with any questions or requests for additional information.

Sincerely,

David Witters NSNA Board and Zoning Committee Chair

030

Exhibit A

Near South Neighborhood Comprehensive Zoning Plan An Overview

The Near South Comprehensive Zoning plan is the result of years of work as we, in the neighborhood, watched trends, gathered insight from the community and endeavored to preserve our historic neighborhood. The importance of this zoning plan runs deep and is at the root of a multi-faceted plan for the future of our neighborhood and our city. We are encouraged to see the results of our zoning efforts come to fruition.

Some History

Efforts towards re-zoning have always been an integral part of the Near South Neighborhood Association's (NSNA) work and began with the original mission of preserving our historic homes. As early as 1980, NSNA worked to help create the Historic Preservation Commission and establish our neighborhood Landmark Districts. In the following decade, we helped establish Residential Conservation Overlay districts within the zoning code and applied them within the Near South. Even with these zoning tools, we recognized a continuing vulnerability because of inappropriate underlying zoning. In 2001, our zoning committee began work to address this issue. From these initial meetings a plan was developed and presented to the neighbors of the Mount Emerald historic district asking them to support a re-zoning down to R-2. We received overwhelming support at both the Planning Commission and City Council hearings. Our request was passed unanimously by both bodies. After more discussions and meetings it was decided that this same course of action should be pursued in the down-zoning of the Franklin Heights historic district. The down-zoning was approved and passed unanimously.

Future Planning

These twenty year efforts spurred the Zoning Committee to consider the benefits derived from a comprehensive re-zoning plan. For over a year, the NSNA zoning committee studied various maps displaying area usage, density and population. Multiple strategies and plans were brainstormed and considered to match our goals of historic preservation, promotion of homeownership, neighborhood business retention, improved rental housing, transit access, and efficient use of city infrastructure. This exercise allowed the committee a clearer perspective of the direction and future requirements of our neighborhood. From those meetings a comprehensive plan was forged paying attention to the unique needs of our mixed-use area: keeping higher existing apartment uses close to arterials and public transit, retaining higher density transition buffers around commercial areas, respecting existing apartments, and protecting larger owner-occupied areas. Additionally, we continue to move forward with our City Urban Development Focus Area.

Focus Area

In conjunction with the City of Lincoln Urban Development department, NSNA has designated the Northwest quadrant of our neighborhood from 13th to 17th, A to G Streets as a Focus Area. Later this year, we plan to begin the process of implementing a "revisioning" plan for this area. Specific zoning tools and redevelopment activities will facilitate the revitalization of this portion of Near South which includes the South Capitol Mall, McPhee School, 13th Street Business District, several churches, and F Street Community Center. Though no zoning changes for the Focus Area are included within this application, the Focus Plan and its implementation represent an important piece of the overall comprehensive strategy: preserving and creating new ownership and development opportunities within the neighborhood.

Neighborhood Contact

Our efforts in creating this comprehensive zoning plan have been extensive and our zoning committee has shown a high level of due diligence in the research and presentation of this plan. NSNA has kept neighborhood owners informed and up-to-date in a variety of ways as the process has moved forward. At our Annual Meeting in October of 2004, over 130 people in attendance received a short presentation of zoning achievements and future plans. Our quarterly newsletter provides timely updates. An informational letter was mailed in late February of 2005 to over 1400 neighborhood property owners advising them again of the Near South Comprehensive Zoning Plan and inviting them to an informational meeting at Trinity Church on March 9, 2005. Ongoing communications by phone and email indicate a very high level of understanding and support by affected property owners.

Conclusion

Appropriate zoning provides the foundation from which all growing communities find their guidance and ultimately their strength. The Near South Neighborhood Association has been a leader for decades in preserving and promoting a wonderful part of this community. NSNA has worked long and hard cooperatively with private owners, businesses, and State and City government agencies to ensure that zoning and other standards worked to improve people's lives. The Near South Comprehensive Zoning Plan is the next important step. This plan is the result of years of planning, strategizing, and ongoing dialog. NSNA wants to acknowledge and thank all the volunteers and resources associated with this project. We are confident that this plan will provide direction and strength to continue improving our neighborhood and community for generations to come.



Lincoln Police Department
Thomas K. Casady, Chief of Police
575 South 10th Street
Lincoln, Nebraska 68508

402-441-7204
fax: 402-441-8492



MAYOR COLEEN J. SENG

lincoln.ne.gov

March 16, 2005

Mary Bills-Strand, Chair
Lincoln/Lancaster County Planning Commission
555 S. 10th Street
Lincoln, NE 68516

Dear Ms. Bills-Strand and Planning Commissioners:

I noted zoning request 05014 on today's agenda, a proposed downzoning in south Lincoln. I have been quite concerned about this general area for several years, because of the crime trends we have noted in Lincoln. Generally, our concern has been the concentration of crime and disorder in core historic neighborhoods in Lincoln---despite an overall reduction in crime citywide.

This trend is apparent in our data since 1998, and among the effected areas are portions of the Capital Avenue, Everett and Near South neighborhoods. Interestingly, you can often see tremendously different conditions within a matter of a few feet---depending on the side of the street. Our data shows a correlation between crime rates and population density in many Lincoln neighborhoods, and a correlation between crime rates and owner occupancy. Although it would be shaky science to imply cause and effect, I am nonetheless convinced from my experience that reducing population density and increasing home ownership and/or long-term tenancy are great ways to help protect fragile neighborhoods. As such, I think this zoning change would be beneficial to the stability of the neighborhood.

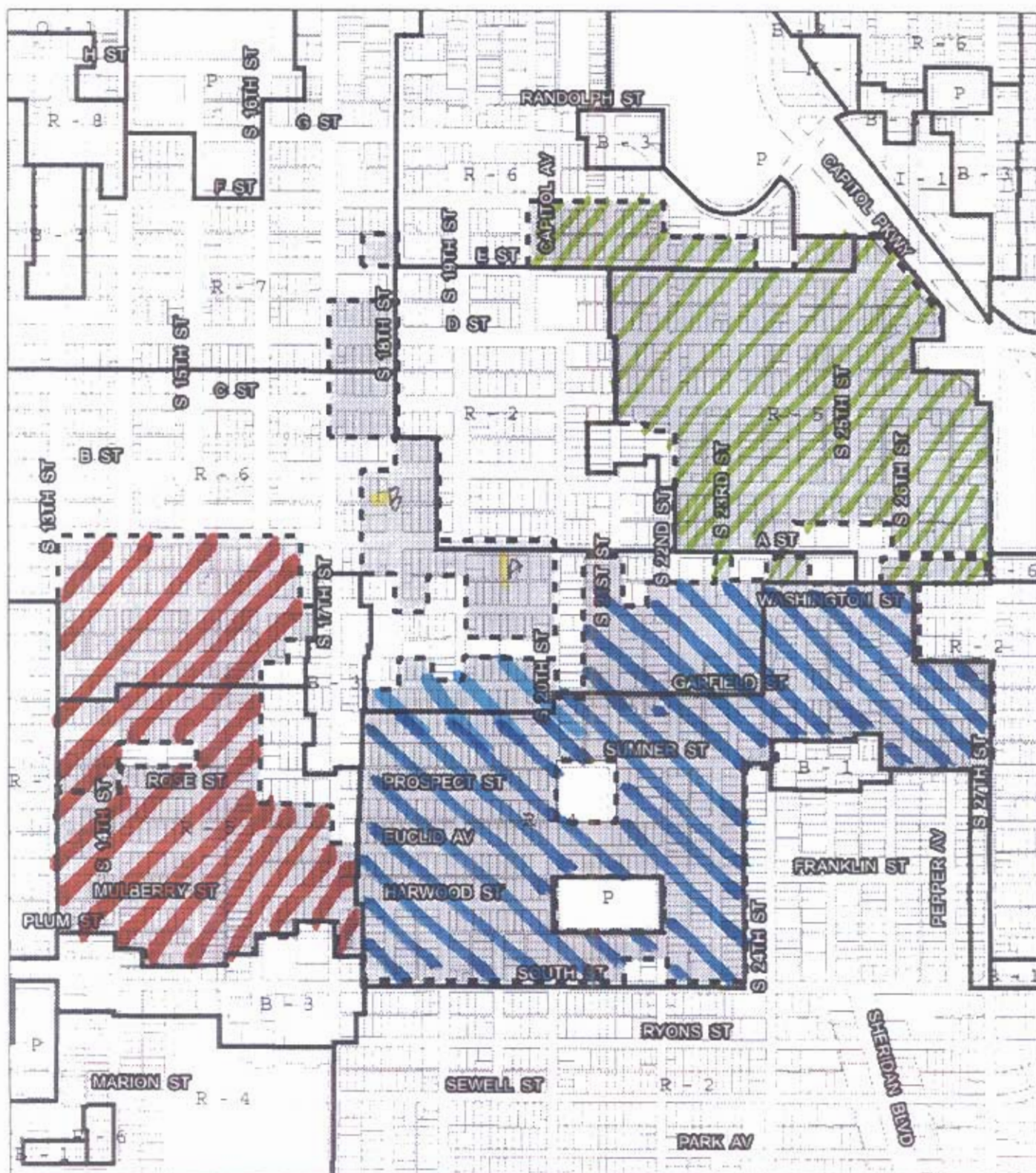
Sincerely,

Thomas K. Casady
Chief of Police



A nationally accredited law enforcement agency





Zoning:

Change of Zone #05014
Near South Neighborhood

R-1 to R-4	Residential District	B-3	Commercial District
AG	Agricultural District	B-4	Lincoln Center Business District
AGR	Agricultural Residential District	B-5	Planned Regional Business District
R-C	Residential Conservation District	H-1	Interstate Commercial District
O-1	Office District	H-2	Highway Business District
O-2	Suburban Office District	H-3	Highway Commercial District
O-3	Office Park District	H-4	General Commercial District
R-T	Residential Transition District	I-1	Industrial District
B-1	Local Business District	I-2	Industrial Park District
B-2	Planned Neighborhood Business District	I-3	Employment Center District
		P	Public Use District



"Susan Melcher"
<melcherj5-2@nebras
ka.com>

To: <plan@lincoln.ne.gov>
cc:
Subject: Change of Zone No. 05014

03/07/2005 09:15 AM

I will not be able to attend the March 16 meeting but my husband and I support the NSNA Comprehensive Zoning Plan.

My husband and I have lived in the Near South neighborhood for 11 years and have raised our 3 children here. We purchased this house in this neighborhood because we liked the look of the older houses, we wanted to live in the center of the city and we wanted a house that we could afford on one salary. Many of our neighbors are here for the same reason. Most of the people on our block and those surrounding us are single family owners and renters. Most of the owners and long-term tenants know and watch out for each other. There are many block parties here in the summer.

When this neighborhood was created at the turn of the century, most people did not have cars so the streets, garages and driveways are not large enough to accommodate more than 1-2 cars per house. Parking by the multi-family houses and apartment buildings is difficult. Just try to turn south on 24th street from A street. Cars often back up on A and 24th streets because of the parking on both sides of 24th street. Visit our neighborhood during one of the parking bans after a snow storm. Our street never gets completely plowed because there are always cars that haven't been moved.

Please help us to maintain our neighborhood as a family neighborhood where people purchase their house and stay. I'm sure that many people at LPS will tell you that reading and math scores are higher in schools that have a stable population. Also, as worker commute times increase, people will be looking for inner-city houses in stable neighborhoods. By preserving the core of the city, the whole city becomes more stable.

We purchased our house here because we believed in this neighborhood. Please help us to preserve it.

Thank you,
Susan Melcher
2401 Garfield St.
Lincoln, Ne 68502



"Randy Wertz"
<rlw@recknor.com>
03/07/2005 02:36 PM

To: <plan@lincoln.ne.gov>
cc:
Subject: change of zone #05014

Dear Planning Commission/City Council/Mayor,

I own a four plex at 2100 Washington. I have reviewed the application for change of zone for the described area. I am in favor of #05014.

Randall Wertz



Sherm Bixby
<sbixby@ameritas.com>

03/07/2005 02:38 PM

To: plan@lincoln.ne.gov
cc:
Subject: Change of Zone No. 05014

Dear Planning Commission:

I live in that neighborhood and support the change. Thank You.

J. Sherman Bixby
1200 S. 20th
Lincoln, NE 68502

This message may contain confidential information intended only for the use of the addressee(s) named above and may contain information that is legally privileged. If you are not the addressee, or the person responsible for delivering it to the addressee, you are hereby notified that reading, disseminating, distributing or copying this message is strictly prohibited. If you have received this message by mistake, please immediately notify me by replying to the message and delete the original message immediately thereafter. Thank you.



Dave Scheffler
<daves@NEFB.COM>

03/08/2005 02:38 PM

To: plan@ci.lincoln.ne.us

cc:

Subject: Downzoning in the Near South Neighborhood

Dear Planning Commission Member,

I am writing in support of the Change of Zone no. 05014 (Near South Neighborhood). The change of zone is vital to protecting and reinforcing the strong single-family character of our neighborhood and does so without adversely affecting any existing apartments. Change of Zone 05014 maintains the various housing needs of the Near South Neighborhood by dedicating areas for single-family homes and recognizing other areas best suited for apartments.

This change of zone will help make the Near South Neighborhood more stable, increasing market value and maintaining a better quality of life for all residents. Please help us keep our city strong by voting yes on the Change of Zone no. 05014.

Sincerely,

David & Marilyn Scheffler
1801 Pepper Ave.



"Andy Beecham"
<andy.beecham@empli
d.com>

To: plan@ci.lincoln.ne.us
cc:
Subject: support for Change of Zone no. 05014 (Near South Neighborhood)

03/08/2005 03:43 PM
Please respond to
andy.beecham

Dear Planning Commission Member,

I am writing to express my support for Change of Zone no. 05014 (Near South Neighborhood). This change of zone is vital to protecting and reinforcing the strong single-family character of our historic neighborhood and manages to do so without adversely affecting any existing apartments. Change of Zone 05014 weaves together the various housing needs of the Near South Neighborhood by dedicating areas for single-family homes and recognizing other areas best suited for apartments.

This change of zone will help make the Near South Neighborhood more stable, increasing market values and the quality of life for all residents. Please help us keep our city strong by voting yes on Change of Zone no. 05014.

Sincerely,

Andy Beecham
2540 C Street
Lincoln



Ohair42@aol.com

03/09/2005 06:58 AM

To: plan@ci.lincoln.ne.us
cc: cathy_beecham@yahoo.com
Subject: Change Of Zone 05014

Dear Planning Commission Members:

As a Board member of the Witherbee Neighborhood Association and one who is concerned about retaining the residential and architectural character of the Near South Neighborhood area and other older established neighborhoods, I wholly support Change of Zone 05014 and ask that you please vote in favor of it. I would like to thank the Commission for recently implementing improved Design Standards for multiple dwelling units constructed in established neighborhoods. This Change of Zone request would also better define future residential development for the Near South Neighborhood and make developers/builders built housing that is more appropriate and consistent with the character of the Near South Neighborhood. Quality redevelopment equates to quality neighborhoods and this Change of Zone would help to accomplish this.

Steve Schwab
Witherbee Neighborhood Association Board Member
3510 Woods Ave
Lincoln, NE 68510



Quentin Faulkner
<qfaulkner1@unl.edu>

03/09/2005 08:28 AM

To: plan@ci.lincoln.ne.us
cc: qfaulkner1@unl.edu
Subject: Change of Zone no.05014

Dear Planning Commission Member,

We are writing to express our support for Change of Zone no. 05014 (Near South Neighborhood). This change of zone is essential to protecting and reinforcing the strong single-family character of our historic neighborhood and manages to do so without adversely affecting any existing apartments. Change of Zone 05014 weaves together the various housing needs of the Near South Neighborhood by dedicating areas for single-family homes and recognizing other areas best suited for apartments.

This change of zone will help make the Near South Neighborhood more stable, increasing market values and the quality of life for all residents. Please help us keep our city strong by voting yes on Change of Zone no. 05014.

Sincerely,

Quentin and Mary Murrell Faulkner
1505 A Street
Lincoln, NE 68502

--
Quentin Faulkner
Larson Professor of Music
School of Music
University of Nebraska-Lincoln
Lincoln, NE 68588-0100
phone: (402)472-2976 (office; voice mail)
(402)475-2927 (home)
fax: (402)472-8962
e-mail: qfaulkner@unl.edu



Yelena Mitrofanova
<ymitrofanova2@unl.no
tes.unl.edu>

To: plan@ci.lincoln.ne.us
cc:
Subject:

03/09/2005 10:34 AM

Dear Planning Commission Member,

I am writing to express my support for Change of Zone no. 05014 (Near South Neighborhood). This change of zone is vital to protecting and reinforcing the strong single-family character of our historic neighborhood and manages to do so without adversely affecting any existing apartments. Change of Zone 05014 weaves together the various housing needs of the Near South Neighborhood by dedicating areas for single-family homes and recognizing other areas best suited for apartments.

This change of zone will help make the Near South Neighborhood more stable, increasing market values and the quality of life for all residents. Please help us keep our city strong by voting yes on Change of Zone no. 05014.

Sincerely,

Yelena (Helen) Mitrofanova
Community Development Educator
Lancaster County Extension Office
444 Cherrycreek Road, Suite A
Lincoln, NE 68528-1507
402-441-6753 (ph.) 402-441-7148 (f)
ymitrofanova2@unl.edu
<http://lancaster.unl.edu>



"Dwayne Novak"
<dnovak@neb.rr.com>

03/09/2005 10:16 AM

To: <plan@ci.lincoln.ne.us>
cc:
Subject: zoning

Dear Planning Commission Member,

I am writing to express my support for Change of Zone no. 05014 (Near South Neighborhood). This change of zone is vital to protecting and reinforcing the strong single-family character of our historic neighborhood and manages to do so without adversely affecting any existing apartments. Change of Zone 05014 weaves together the various housing needs of the Near South Neighborhood by dedicating areas for single-family homes and recognizing other areas best suited for apartments.

This change of zone will help make the Near South Neighborhood more stable, increasing market values and the quality of life for all residents. Please help us keep our city strong by voting yes on Change of Zone no. 05014.

Sincerely,
Dwayne C. Novak
1849 Prospect St.
Lincoln, NE 68502



Johanna R Kerns
<thoseguys3@juno.co
m>

To: plan@ci.lincoln.ne.us
cc:
Subject: Support of CHANGE OF ZONE NO. 05014

03/09/2005 09:47 AM

Planning Commission,

I want to voice my strong support of the change of zoning for the Near South Neighborhood. I feel the present zoning feeds into the deterioration of the heart of the city and will leave a sorry legacy to future generations. Many neighbors live with the worry of a house on their street being sold, always wondering if it will be torn down and a brick box put up in its place.

We live on a block where six of the nine buildings are rentals. We are fortunate that most of them retain the appearance of homes, but even these homes have been divided up into four or five apartments. Next door to us lived an older resident who needed to move to assisted living. Her daughter from California was sure the only thing to do with her house was to tear it down and build a four-plex.

The people who live in Lincoln need to decide that this part of our city is worthy of preserving and worthy of families living here and caring about the neighborhood. It is the homeowners who walk the streets and clean up the broken beer bottles and trash on the sidewalks and curbs. It is the homeowners who use their snow blowers and clear the sidewalks for many of the rentals so people can get to the bus stops safely.

We have chosen to live in this neighborhood. We live in my mother's home with a beautiful stone fireplace and oak woodwork. We have a wraparound porch. We like our neighbors. But if a four-plex was put in next door we would most likely move. I suspect our house would also be torn down. It wouldn't retain its value as one of two single homes on the street. I would guess that in a decade the street would be entirely transient and you would lose the families that want to improve their street and raise the quality of the neighborhood.

THIS IS SUCH AN IMPORTANT CHANGE FOR THIS NEIGHBORHOOD AND FOR THE CITY AS A WHOLE. You are trying to redevelop other neighborhoods that were allowed to deteriorate. This is the neighborhood that is adjacent to the Sunken Gardens and the Foslom Children's Zoo! What type of neighborhoods would we like to present to our visitors?

This zoning change does so without adversely affecting present apartment owners. It looks to their present needs while looking to the future of this neighborhood.

Please vote yes on Change of Zone No. 05014.

Sincerely,
Johanna Rae Kerns

1417 South 21st Street
Lincoln, NE 68502
(402) 438-1262
thoseguys3@juno.com



"Sarah Bauman"
<sarahwellbauman@h
otmail.com>

To: plan@ci.lincoln.ne.us
cc:
Subject: Change of Zone #05014

03/09/2005 07:52 PM

Dear Planning Commission Members;

I am writing to express my support for the change of Zone #05014 (Near South Neighborhood). The change of zone is vital to protect the original single family character of this area and to preserve the historic buildings and milieu. Zone 05014 weaves together various housing needs of the Near South by dedicating single family areas and recognizing areas best suited for apartments.

This will increase the market values and living quality for our residents.

Please vote yes on Change of Zone#05014.

Thank you.

Sincerely,

Sarah Bauman
2035 B Street (02)



"JOHN TURNER"
<mjrenrut@sprynet.co
m>

To: <plan@ci.lincoln.ne.us>
cc:
Subject: Change of Zone 05014

03/10/2005 07:30 AM

Dear Planning Commission Member,

I am writing to express my support for Change of Zone no. 05014 (Near South Neighborhood). This change of zone is vital to protecting and reinforcing the strong single-family character of our historic neighborhood and manages to do so without adversely affecting any existing apartments. Change of Zone 05014 weaves together the various housing needs of the Near South Neighborhood by dedicating areas for single-family homes and recognizing other areas best suited for apartments.

This change of zone will help make the Near South Neighborhood more stable, increasing market values and the quality of life for all residents. Please help us keep our city strong by voting yes on Change of Zone no. 05014.

Sincerely,

John and Melissa Turner
1905 Harwood
Lincoln, NE 68502
(402) 477-0621



"Richard Mallam"
<rmmallam@inebraska
.com>

03/09/2005 11:24 AM

To: <plan@ci.lincoln.ne.us>
cc:
Subject: Downzoning in the Near South Neighborhood

Dear Planning Commission Member,

I am writing to express my support for Change of Zone no. 05014 (Near South Neighborhood). This change of zone is vital to protecting and reinforcing the strong single-family character of our historic neighborhood and manages to do so without adversely affecting any existing apartments. Change of Zone 05014 weaves together the various housing needs of the Near South Neighborhood by dedicating areas for single-family homes and recognizing other areas best suited for apartments.

This change of zone will help make the Near South Neighborhood more stable, increasing market values and the quality of life for all residents. Please help us keep our city strong by voting yes on Change of Zone no. 05014.

Sincerely,

Richard M. Mallam

rmmallam@inebraska.com



"melissa@landisarts.com" <melissa

03/10/2005 08:14 AM
Please respond to
melissa

To: plan@ci.lincoln.ne.us
cc:
Subject: Support Change of Zone no. 05014

Dear Planning Commission Member,

I am writing to express my support for Change of Zone no. 05014 (Near South Neighborhood). This change of zone is vital to protecting and reinforcing the strong single-family character of our historic neighborhood and manages to do so without adversely affecting any existing apartments. Change of Zone 05014 weaves together the various housing needs of the Near South Neighborhood by dedicating areas for single-family homes and recognizing other areas best suited for apartments.

This change of zone will help make the Near South Neighborhood more stable, increasing market values and the quality of life for all residents. Please help us keep our city strong by voting yes on Change of Zone no. 05014.

Sincerely,
Melissa Landis
1735 South 16th St.
Lincoln, NE. 68502

mail2web - Check your email from the web at
<http://mail2web.com/> .



Kristin Wulser
<kwulser@ameritas.com>
m>

To: plan@ci.lincoln.ne.us
cc:
Subject: CHANGE OF ZONE 05014-NEAR SOUTH NEIGHBORHOOD

03/10/2005 09:04 AM

We were very pleased to hear of the proposed Zoning change in the Near South Neighborhood!! About 9 years ago, my husband purchased a home (badly in need of repair) in the neighborhood. He has completely renovated the home and we are in the process finishing the interior remodel. There are several homes on the block that are in poor condition, as well as several apartment buildings. Being able to picture the neighborhood 5, 10 -20 years from now as a vibrant, revitalized area is exciting!! Conversely, picturing the neighborhood as a neighborhood of rundown apartments, dilapidated homes and a small handful of historic homes....is a very sad vision.

By changing the zoning in this neighborhood to R2, homeowners and investors would be encouraged to purchase/renovate homes in the neighborhood. The more homes that are revitalized, the more desirable the neighborhood will become, the more people will want to move back to the core of the city. Although Lincoln is growing by leaps and bounds in all directions, it is important to keep the core of the city alive and well.

Thank you for your consideration!!

Kristin Wulser

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craig wacker
<craigwacker17@yaho
o.com>

To: plan@ci.lincoln.ne.us
cc:
Subject: Near South Zoning Change

03/10/2005 11:34 AM

Dear Planning Commission Member,

I am writing to express my support for Change of Zone no. 05014 (Near South Neighborhood). This change of zone is vital to protecting and reinforcing the strong single-family character of this historic neighborhood and manages to do so without adversely affecting any existing apartments. Change of Zone 05014 weaves together the various housing needs of the Near South Neighborhood by dedicating areas for single-family homes and recognizing other areas best suited for apartments.

This change of zone will help make the Near South Neighborhood more stable, increasing market values and the quality of life for all residents. Please help us keep our city strong by voting yes on Change of Zone no. 05014.

Sincerely,
Craig Wacker

Do you Yahoo!?
Yahoo! Small Business - [Try our new resources site!](#)



Scott M Kerns
<thoseguys3@juno.com>
m>

To: plan@ci.lincoln.ne.us
cc:
Subject: Support Change of Zone no. 05014

03/10/2005 02:10 PM

Dear Planning Commission Member,

As a resident of the Near South Neighborhood I am writing to express my **support for Change of Zone no. 05014** (Near South Neighborhood). This change of zone is vital to protecting and reinforcing the strong single-family character of our historic neighborhood and manages to do so without adversely affecting any existing apartments. Change of Zone 05014 weaves together the various housing needs of the Near South Neighborhood by dedicating areas for single-family homes and recognizing other areas best suited for apartments.

This change of zone will help make the Near South Neighborhood more stable, increasing market values and the quality of life for all residents. **Please help us keep our city strong by voting yes on Change of Zone no. 05014.**

Sincerely,

Scott Kerns

Scott Kerns
1417 South 21st Street, Lincoln, NE 68502, 402-438-1262, thoseguys3@juno.com

"The LORD is my strength and my song; he has become my victory.
He is my God, and I will praise him; he is my father's God, and I will exalt him!" Ex. 15:2



bpeters@nebraska.co
m

03/10/2005 02:28 PM

To: plan@ci.lincoln.ne.us

cc:

Subject:

Dear Planning Commission Member,

I have been a resident of the Near South neighborhood for 28 years and I am writing to express my support for Change of Zone no. 05014 (Near South Neighborhood). This change of zone is vital to protecting and reinforcing the strong single-family character of our historic neighborhood and manages to do so without adversely affecting any existing apartments. Change of Zone 05014 weaves together the various housing needs of the Near South Neighborhood by dedicating areas for single-family homes and recognizing other areas best suited for apartments.

People who own and live in their own home take better care of their properties, thus preserving and even increasing the area's property values. Please help us keep our city strong by voting yes on Change of Zone no. 05014.

Sincerely,
Robert W. Peters
1745 S. 25th St.
Lincoln, NE 68502

IN SUPPORT

ITEM NO. 3.2: CHANGE OF ZONE NO. 05014
(p.201 - Public Hearing - 3/16/05)



Shawn Ryba
<SRyba@lincoln-action.org>

To: "plan@ci.lincoln.ne.us" <plan@ci.lincoln.ne.us>
CC:
Subject: Vote "Yes" on Change of Zone no. 05014

03/11/2005 02:02 PM

Dear Planning Commission Member,

I am writing to express my support for Change of Zone no. 05014 (Near South Neighborhood). This change of zone is vital to protecting and reinforcing the strong single-family character of our historic neighborhood and manages to do so without adversely affecting any existing apartments. Change of Zone 05014 weaves together the various housing needs of the Near South Neighborhood by dedicating areas for single-family homes and recognizing other areas best suited for apartments.

This change of zone will help make the Near South Neighborhood more stable, increasing market values and the quality of life for all residents. Please help us keep our city strong by voting yes on Change of Zone no. 05014.

Sincerely,

Shawn Ryba, Near South Neighborhood Board Member
1506 E Street
Lincoln, NE 68503



daniel russell
<drus007@neb.rr.com
>

To: plan@ci.lincoln.ne.us, council@ci.lincoln.ne.us
cc:
Subject: zoning change 05014

03/12/2005 04:29 PM

hello, my name is daniel russell,i live at 2626 c st. i would like to
express my support FOR the change of zoning in the near south
neighborhood.i believe this change will be beneficial to all who live
in the near south.....thank you



Jorja Brazda-Witters
<jbrazda@lps.org>

03/13/2005 01:43 PM

To: plan@ci.lincoln.ne.us

cc:

Subject: Downzoning in the Near South Neighborhood

Dear Planning Commission Member:

I am writing to support Change of Zone no. 05014 (Near South Neighborhood). It will continue to protect property owners of single family residences and apartments, and yet control the density of the neighborhood by preventing future development of higher density properties. Our neighborhood is strong and viable but it needs support of city leaders to keep it from creating more demand on already restricted city services. As you all know, we have increased need for police and fire protection, parking issues which affect snow removal, and higher crime rates than other parts of this city.

Please help us continue to improve a wonderful, caring neighborhood become stronger and safer.

Sincerely,
Jorja Brazda



karl@bigred.unl.edu

03/13/2005 02:51 PM

To: plan@ci.lincoln.ne.us

cc:

Subject: Change of Zone No. 05014

Dear Planning Commission Member,

I am writing to express my support for change of Zone no. 05014 (Near South Neighborhood). This change of zone is vital to protecting and reinforcing the strong single-family character of this historic neighborhood and manages to do so without adversely affecting any existing apartments. Change of Zone 05014 weaves together the various housing needs of the Near South Neighborhood by dedicating areas for single-family homes and recognizing other areas best suited for apartments.

This change of zone will help make the Near South Neighborhood more stable, increasing market values and the quality of life for all residents. Please help us keep our city strong by voting yes on Change of Zone no. 05014.

Sincerely,
Karl F. Palmquist
105 No. 8th Street #306
Lincoln, NE 68508



jskean@nebraska.com

03/13/2005 04:05 PM

To: plan@ci.lincoln.ne.us

cc:

Subject: Change of Zone # 05014

Dear Planning Commission Members,

I am writing to express my support for Change of Zone # 05014 for the Near South Neighborhood. This change is intended to protect the owner occupied atmosphere of the neighborhood and to do it without disadvantaging the status of existing apartments. 05014 will dedicate areas for single-family homes and recognize that other areas are better suited for more apartment construction.

I have had the good fortune to travel to many other cities that have already experienced the kind of growth pattern Lincoln now has. In all too many of them the near downtown neighborhoods have deteriorated and become havens of misery, crime and drug abuse. Sometimes these blighted areas are later redeemed by redevelopment but it seems obvious to me that avoiding high-density blight in the first place is a better path.

This change of zone should tend to keep the Near South Neighborhood desirable to middle class homebuyers and protect market values, quality of life, and tax revenue.

I hope you share my concern about the future of the Near South and that you will vote yes on Change of Zone #05014.

Sincerely,
Jonathan Skean
2629 S 15 St
Lincoln, NE 68502
402 435-2726



Gary
<garzell1@earthlink.net>

To: plan@ci.lincoln.ne.us
cc:
Subject: support 05014

03/13/2005 07:44 PM
Please respond to Gary

Hello,
Please support Change of Zone 05014- for the Near South Neighborhood. I
believe it will benefit our neighborhood.
Thank you,
Gary Zellweger
2610 C Street
68502



"william carver"
<williamc@team-national.com>

03/13/2005 10:41 PM

To: <plan@ci.lincoln.ne.us>
cc:
Subject: Support Change of Zone 05014

Please support Change of Zone 05014.

William Carver
2202 Washington St



Laura Edwards
<bgreen@neb.rr.com>

03/14/2005 06:47 AM

To: <plan@ci.lincoln.ne.us>
cc:
Subject: Support for Change of Zone no. 05014

Dear Planning Commission Member,

I am writing to express my support for Change of Zone no. 05014 (Near South Neighborhood). This change of zone is vital to protecting and reinforcing the strong single-family character of our historic neighborhood and manages to do so without adversely affecting any existing apartments. Change of Zone 05014 weaves together the various housing needs of the Near South Neighborhood by dedicating areas for single-family homes and recognizing other areas best suited for apartments.

This change of zone will help make the Near South Neighborhood more stable, increasing market values and the quality of life for all residents. Please help us keep our city strong by voting yes on Change of Zone no. 05014.

Sincerely,

Laura Edwards
1862 Harwood Street
Lincoln, NE



Blake and Laura
Edwards
<bedwards@neb.rr.co
m>

To: <plan@ci.lincoln.ne.us>
cc:
Subject: support for Change of Zone no. 05014

03/14/2005 06:48 AM

Dear Planning Commission Member,

I am writing to express my support for Change of Zone no. 05014 (Near South Neighborhood). This change of zone is vital to protecting and reinforcing the strong single-family character of our historic neighborhood and manages to do so without adversely affecting any existing apartments. Change of Zone 05014 weaves together the various housing needs of the Near South Neighborhood by dedicating areas for single-family homes and recognizing other areas best suited for apartments.

This change of zone will help make the Near South Neighborhood more stable, increasing market values and the quality of life for all residents. Please help us keep our city strong by voting yes on Change of Zone no. 05014.

Sincerely,

Blake Edwards
1862 Harwood Street
Lincoln, NE



mwatt@ips.org

03/14/2005 08:05 AM

To: plan@ci.lincoln.ne.us

CC:

Subject: Change of Zone #05014

Dear Planning Commission Member-

This message is a request for your support for Change of Zone #05014 regarding the Near South Neighborhood. A strong central area is vital to any city, and this will help to maintain the stability of the Near South Neighborhood.

This change of zone will help to maintain the market value and quality of life for single-family homeowners, while providing for the areas with a high density of apartments.

Please vote yes on Change of Zone 05014.

Sincerely,

Mark Watt



Clark E deVries
<cdevries@unlnotes.unl.edu>

To: plan@ci.lincoln.ne.us
cc:
Subject: Change of Zone no. 05014 (Near South Neighborhood)

03/14/2005 09:01 AM

I am e-mailing my support of the down zone request for the Near South area. I own property that is included in the down zoning and feel that this move will make my neighborhood a better place by placing importance in single family type properties yet allow some areas to have higher density. Please vote yes on the down zoning efforts of the Near South.

Clark deVries P.E.



"timdfancis"
<tfrancis@neb.rr.com>

03/14/2005 09:30 AM

To: <jwalker@lincoln.ne.gov>
cc:
Subject: Change of Zone, 05014 (Near South)

Dear Planning Commissioners: As an investor owner of rental houses in this neighborhood, I support this requested zoning action. I also live in an R6 zoned neighborhood and we've clearly achieved as much density as necessary. Generally, what benefits the homeowners benefits the investors. I have an easier time of managing my houses in a less dense neighborhood, my property is of greater value and marketability and there seems to be less criminal activity.

I expect you'll have testimony in opposition, calling this a "taking" of value. My answer to that would be that it had been "given" at some point and it was given without enough restrictions. We would never plan a new neighborhood with such loose standards.

It strikes me that the current use is more reflective of the requested zoning than the actual zoning currently in place.

Thank you for your support of this request.

Tim Francis
2511 T. St.

cc: Near South NA



SToddSwanson@netsc
ape.net

03/14/2005 11:15 AM

To: plan@ci.lincoln.ne.us, council@ci.lincoln.ne.us
cc:

Subject: Change of Zone No. 05014

Dear Planning Commission and City Council:

I am a resident whose property would undergo a zoning change under the Change of Zone no. 05014 proposal. I am writing to express my support for Change of Zone no. 05014 (Near South Neighborhood). This change of zone is vital to protecting and reinforcing the strong single-family character of our historic neighborhood and manages to do so without adversely affecting any existing apartments. Change of Zone 05014 weaves together the various housing needs of the Near South Neighborhood by dedicating areas for single-family homes and recognizing other areas best suited for apartments.

This change of zone will help make the Near South Neighborhood more stable, increasing market values and the quality of life for all residents. Please help us keep our city strong by voting yes on Change of Zone no. 05014.

Sincerely,

S. Todd Swanson
2600 A ST
Lincoln NE 68502-1842

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Mark van Roojen
<mvr1@earthlink.net>

03/16/2005 11:57 AM

To: plan@lincoln.ne.gov
cc:
Subject: Change of Zone Number 05014

To Whom It May Concern,

I live at 1835 South 23rd Street and have lived on this block for the past 14 years. I am writing in support of down zoning the area so that no further slip-in apartments can be built and so that current historic housing in the neighborhood will be preserved.

We have spent the past 8 years working to restore our house. We will probably not recoup our investment in it, but that is OK, so long as the character of the neighborhood remains what it is so that we can stay here and enjoy the work we have done. Our neighbors and our neighborhood have been a source of great pleasure for us and we expect it to continue. When one of our well-loved neighbors passed away two years ago, we were very worried that the house would be purchased and converted to subdivided use. Happily that has not come to pass, but having the appropriate zoning to prevent it (we are currently R-4) would have eased our minds substantially.

I understand that this zoning change supports the goal of preservation and hence I am in favor of it.

Sincerely,

Mark van Roojen
1835 S. 23rd Street
Lincoln, NE 68502
(402) 438-3724



Bud & Phyllis
Narveson
<woodlawn@woodlaw
nresort.com>

To: plan@lincoln.ne.gov
cc:
Subject: change of zone No. 05014

03/16/2005 11:18 AM

Dear Mr. Czaplewski,

We have received a notice of public hearing on a request to change zoning on a number of lots in the Near South from various multiple zoning classifications to R-2. We wholeheartedly endorse this request, for our house is included in the change. The Near South has much historic housing, including our house in Capitol Add Block 9. Higher density housing is out of character in our block as well as in the other blocks included in the request.

Sincerely yours,

Robert and Phyllis Narveson
1729 C St.
435-5858



adlisec@netscape.net

03/14/2005 02:31 PM

To: plan@ci.lincoln.ne.us

cc: council@ci.lincoln.ne.us

Subject: Change of Zone No. 05014

Dear Planning Commission and City Council:

I am a resident whose property would undergo a zoning change under the Change of Zone no. 05014 proposal. I am writing to express my support for Change of Zone no. 05014 (Near South Neighborhood). This change of zone is vital to protecting and reinforcing the strong single-family character of our historic neighborhood while preserving areas established for multiple tenants. Change of Zone 05014 dedicates areas for single-family homes while recognizing other areas best suited for apartments.

This change of zone will help make the Near South Neighborhood more stable, increasing market values and the quality of life for all residents. Please help us keep our city strong by voting yes on Change of Zone no. 05014.

Sincerely,

Amber Swanson
2600 A ST
Lincoln NE 68502-1842

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"Christy Aggens"
<christyaggens@hotmail.com>

To: plan@ci.lincoln.ne.us
cc:
Subject: Support near south down-zone

03/14/2005 03:32 PM

Dear Planning Commissioners,

I am writing to request that you SUPPORT change of zone 05014 (Near South down-zone application).

I own two properties in the affected area. One is a rental and one is my own home. I support the downzone for two reasons:

1. The infrastructure of the area was designed for single-family use. I believe that the zoning should reflect that fact.
2. I am concerned about protecting the historic character of the neighborhood.

I have a third rental property in the same neighborhood located on a block previously down-zoned with no adverse outcome to my rental business.

In addition, I have noticed that the demand for residential rental units in the neighborhood is down. I attribute this to the large number of new apartments constructed in other parts of town in recent years, and to a surge in home ownership due to low interest rates.

I feel that the time is right to adjust the zoning in the affected area to reflect current conditions and desired outcomes for the neighborhood.

Please vote IN FAVOR of change of zone 05014: Near South Downzone.

Christy Aggens
1912 Harwood
Lincoln, NE 68502

(402) 438-9629

IN SUPPORTITEM NO. 3.2: CHANGE OF ZONE NO. 05014
(p.201 - Public Hearing - 03/16/05)WARD F. HOPPE
SHANNON R. HARNER*
SCOTT M. VOGT
CASSANDRA V. STAJDUHAR*

HOPPE & HARNER, LLP

www.hoppeharner.com

ATTORNEYS AT LAW
5631 SOUTH 48TH STREET
SUITE 220
LINCOLN, NEBRASKA 68516
402. 328. 8100
FAX 402. 328. 8104

March 14, 2005

Lincoln-Lancaster County Planning Commission

VIA FACSIMILE 441-6377

Planning Commission Members,


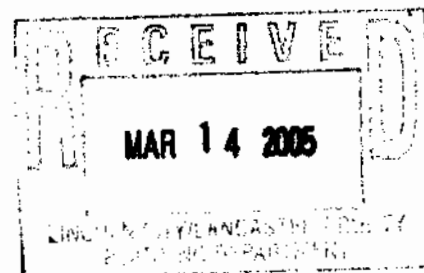
I urge the Commission to approve Change of Zone 05014 (Near South Neighborhood). The Near South has the potential to be one of Lincoln's premiere neighborhoods; a place where the character of old Lincoln can really shine. My husband and I recently purchased a home in the neighborhood--largely because it offered us an opportunity to have and preserve a part of Lincoln's history and to live in a rich, beautiful, and vibrant part of the city. The home we purchased is in the Mount Emerald Historic District; knowing the neighborhood is zoned R-2 and will remain largely residential had a tremendous impact upon both our decision to purchase and the price we were willing to pay for the property.

The proposed Change of Zone offers a chance to further shore up and support the preservation of some of Lincoln's best housing stock. With this proposal, the Planning Commission has an opportunity to support the individuals who are investing their dollars and sweat into this part of the community. I do not know if many of you have experience living in and renovating historic homes; such an undertaking requires an enormous amount of time and a tremendous financial commitment. Frankly, such a project often does not directly 'cash flow.' Nonetheless, the prospect of taking on such a project can be made more attractive if individuals know the preservation and stabilization of the neighborhood is supported by City and County officials. If you take some time to tour the Near South you will see that families are, indeed, moving in and working to improve the neighborhood. With this proposed Change of Zone, the Commission has an opportunity to support this trend.

The proposal before the Commission represents a sustained effort to intelligently integrate the varying uses of the Near South. To this end, the proposed change of zone will not, for example, affect existing apartment units. Change of Zone 05014 weaves together the various housing and business needs of the Near South Neighborhood in a thoughtful and sustainable manner.

I strongly urge the Commission to support Change of Zone 05014.

Sincerely,


Cassandra Stajduhar
1990 C Street

IN SUPPORT

ITEM NO. 3.2: CHANGE OF ZONE NO. 05014
(p.201 - Public Hearing - 03/16/05)



"Greg McCown"
<gmccown@neb.rr.com>
m>

To: <plan@ci.lincoln.ne.us>
cc:
Subject: Change of Zone 05014

03/14/2005 06:44 PM

Planning Department/Commission

Dear Planning Commission Member,

I would like to show my support for Change of Zone no. 05014. As a 23 year resident of the Near South, I've seen changes in how this area has been used and viewed by the community. This neighborhood was originally intended for single-family use, but as Lincoln grew, families moved out to newer areas and many of these grand old homes turned into multi-unit dwellings. Over the past two decades, families have sought out the history and the elegance of these homes and have de-converted many of these historic homes. This change of zone is vital to protecting and reinforcing this trend and will strengthen the stability of the neighborhood as it increases property values. All this is done without adversely affecting any existing apartments. Change of Zone 05014 is a thoughtful proposal and provides for the various housing needs in the mixed-use tapestry of the Near South Neighborhood.

Our historic homes and neighborhoods provide a dimension of character that deserves our attention and protection. Please help us keep our city strong by voting yes on Change of Zone no. 05014.

Sincerely,

Greg McCown,

Near South Neighborhood Association Past-President



neal page
<nealpage@yahoo.co
m>

To: plan@ci.lincoln.ne.us
cc:
Subject: Near South zoning

03/15/2005 11:22 AM

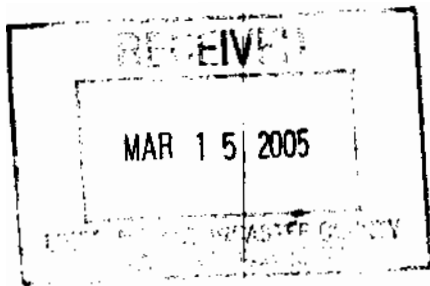
I am writing to express my support for Change of Zone no. 05014 (Near South Neighborhood). This change of zone is vital to protecting and reinforcing the strong single-family character of this historic neighborhood and manages to do so without adversely affecting any existing apartments. Change of Zone 05014 weaves together the various housing needs of the Near South Neighborhood by dedicating areas for single-family homes and recognizing other areas best suited for apartments.

This change of zone will help make the Near South Neighborhood more stable, increasing market values and the quality of life for all residents.

Please help us keep our city strong by voting yes on Change of Zone no. 05014.

Sincerely,
Scott Lindberg
1340 S 25th
Lincoln
438-3625

Do you Yahoo!?
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<http://smallbusiness.yahoo.com/resources/>



March 15, 2005

To whom it may concern,

I'd like to express my support for the proposed zoning change 05014.

The historic neighborhoods of Lincoln are one of it's greatest physical assets. They deserve our protection. Allowing ugly modern simplexes to be dropped in next to the stately homes of yesteryear has already created scars in our neighborhoods which may never heal. Some day in the not too distant future these houses could be replaced by soulless examples of modernity. We would all be poorer for it.

While much damage has already been done to our older neighborhoods, you have the power in your hands to prevent more. The proposed change will protect the rights of all property owners. Current landlords will have their investment protected by having their interests grandfathered in. Home owners will be encouraged to preserve and improve their properties. Most importantly a great neighborhood, a community unto itself will have been preserved.

Cordially,

Michael A. Stajduhar
1990 C Street
Lincoln NE, 68503

#05014

To Whom it May Concern: Planning/City Council

Please vote in support of

Near South downzoning. I love my
neighborhood and want to see it
protected. Thank you for your

Vote in our support.

Blake C. Smith
1862 Harwood St.

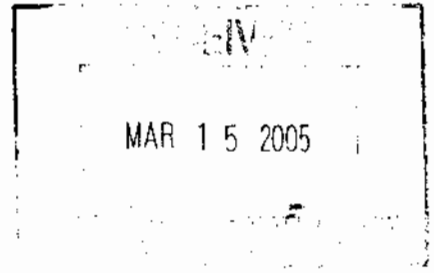
Preserve the City's core areas.

★ Save the Near South

MAR 15 2005

074

March 14, 2005



Dear Planning Commission,
re: 05014 change of zone

I moved into the Near South neighborhood
last year and bought my first house there.
This proposed change of zone would help
preserve the feel of the neighborhood that
drew me to purchase a home there.

Thanks for your attention to this issue.

Sincerely,
Heidi Whiting
1635 S. 21st Street
Lincoln, NE 68502

RE: CHANGE OF ZONE OS014

3/14/05

DEAR PLANNING COMMISSION-

MAR 15 2005

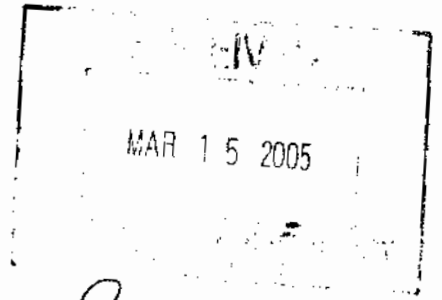
PLEASE SUPPORT THE CHANGE OF ZONE OS014. I'VE LIVED IN THE NEAR SOUTH SINCE THE EARLY 1980'S. I'VE SEEN A TREND OF DE-CONVERSION OF HOMES THAT WERE ONCE APARTMENTS. NOW MANY FAMILIES ARE MOVING BACK INTO THE NEIGHBORHOOD. THE UNDERLYING ZONING NEEDS TO REFLECT BOTH THE CURRENT ZONING AND THE FUTURE TRENDS. PLEASE HELP PROTECT THE HISTORY OF OUR COMMUNITY AND SUPPORT THIS CHANGE OF ZONE.

SINCERELY,

GREG Mc GOWN
1970 B STREET

3/14/05

Planning Commissioners:



Please vote in SUPPORT of
Change of zone 05014 to help
protect the character of
the near south neighborhood.

I own 2 properties in the
affected area, 1912 Hanwood
and 1501 A St, which is a rental.

I fully support this down-zone
application.

Christy Aggens
1912 Hanwood

077

RECEIVED
MAR 15 2005

03/14/05

To whom it may concern:

I am a tenant living in the Near South Neighborhood. I have lived in the neighborhood collectively for seven years. This neighborhood is a great place to live and I would like to see it preserved. Please ~~vote~~ in support of change of zone OS014 and protect the character of my neighborhood.

Thank you for supporting the change of zone OS014!

Sincerely,

Shawn Ryle

1506 E Street
Lincoln, NE 68508

P: 416-8686

MARCH 14, 2005

DEAR PLANNING COMMISSION MEMBER:

RE: CHANGE OF ZONE 05014

MAR 15 2005

AS A TWELVE-YEAR RESIDENT OF THE NEAR SOUTH NEIGHBORHOOD, I AM VERY INTERESTED IN PROTECTING THE CHARACTER AND VITALITY OF THE NEIGHBORHOOD.

THIS CHANGE OF ZONE WILL HELP TO MAINTAIN THE STRONG SINGLE-FAMILY AREAS OF THE NEIGHBORHOOD AND ALLOW FOR THE CONTINUED EXISTENCE OF CURRENT MULTI-FAMILY DWELLINGS.

PLEASE SUPPORT THE ABOVE CHANGE OF ZONE PROPOSAL.

THANK YOU FOR YOUR CONSIDERATION.

SINCERELY,

Mark Watt

MARK WATT

1448 G. ST.

MAR 15 2005

March 13, 2005

Dear Planning Commission:

I am writing in support of change of zone no. 05014. Previous down zoning efforts in the area have had a significant and nearly immediate positive impact on the neighborhood with revitalization & money invested in properties in the affected areas. Although I do not live in a home in the area to be down-zoned, I am adjacent to the area and feel this would be of great benefit to the city. Please support this important zoning action.

Daryl Witter
1908 "C" Street.

080

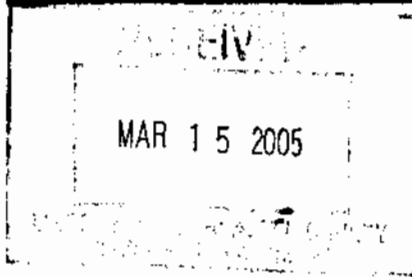
MAR 15 2005

Dear Planning Commission:

Re: Change of Zone 05014

I am writing in support of the change of zone 05014. I live in the Near South Neighborhood, and feel that this change will help maintain the high quality of life in the neighborhood. I request that you support it.

SCOTT BAIRD
1932 S. 24th St
Lincoln, NE 68502



3-15-05

Dear Planning Commission:

Subject: ^{Change of Zone} #05014

I live in the NSNA at 2202 Washington.
During the past 11 years, I have changed
the house from a 5 plex back to a
Single Family home.

I love this neighborhood. Please
protect my investment by supporting
Change of zone #05014

Sincerely,

William Carver
William Carver



March 14 2005

Re: Near South Neighborhood
Downzoning

#06014

Dear Planning Commission members:

I'm a present landlord in the near-south neighborhood. I own and live in my property. It would be desirable to preserve the character of a single family neighborhood through down-zoning. I support this downzoning measure.

The worst period of decay in the neighborhood's district occurred because of the "slip-in" apartment building. Those "slip-ins" destroyed many single and 2-family structures. Please help to preserve and enhance our neighborhood through this downzoning.

Keith Dubas

083

1712 E ST #1

Lincoln, NE 68508



"Denise Kjar"
<dkjar@lnetnebr.com>

03/15/2005 04:41 PM
Please respond to dkjar

To: plan@ci.lincoln.ne.us
cc:
Subject: Change of Zone #05014

Dear Commissioners:

Please support Change of Zone 05014 - Near South Neighborhood downzone. This is vital to protecting the character of my neighborhood and will help stabilize my area, retain property values and keep the single family element alive and well in the Near South.

Thank you.

Denise Kjar
2121 F Street
Lincoln, NE 68510
402-477-7051



CKLTalley@aol.com

03/15/2005 10:58 PM

To: plan@ci.lincoln.ne.us

cc:

Subject: Near South Neighborhood

To whom it may concern,

I am a proud home owner in the Near South Neighborhood. I'm writing this e-mail in support of the Near South Neighborhood Rezoning Plan-Change of Zone 05014. My husband and I moved into this historic neighborhood almost four years ago. Since we bought our house three other young families have bought houses on our street. We love this neighborhood, we want to raise our families in this neighborhood and we feel that this rezoning would be the best thing for our community.

Thank you for your time.

Christopher and Katee Talley
2650 C Street

CKLTalley@aol.com



Ohair42@aol.com

03/16/2005 07:27 AM

To: plan@ci.lincoln.ne.us
cc: cathy_beecham@yahoo.com
Subject: support for 05014

I am writing in support of Change of Zone 05014 and ask that you vote in favor of it because I feel Lincoln needs to support the older neighborhoods. Future residential development in the Near South Neighborhood should be appropriate and consistent with the character of the neighborhood. Let's take care of the aging areas of our city as well as we would take care of our beloved grandmothers.

Mary Schwab
3510 Woods Avenue
Lincoln, Ne 68510
402-440-4131



Pam Knott
<PamK@abcelectric.ne
tr>

To: plan@ci.lincoln.ne.us
cc:
Subject:

03/16/2005 08:19 AM

3/16/05

Dear Planning Commission Member,

I am writing to express my support for Change of Zone no. 05014 (Near South Neighborhood). This change of zone is vital to protecting and reinforcing the strong single-family character of our historic neighborhood and manages to do so without adversely affecting any existing apartments. Change of Zone 05014 weaves together the various housing needs of the Near South Neighborhood by dedicating areas for single family homes and recognizing other areas best suited for apartments. My husband and I have worked hard to improve our home in many ways and plan on staying in the Near South for many years to come.

This change of zone will help make the Near South Neighborhood more stable, increasing market values and the quality of life for all residents. Please help us keep our city strong by voting yes on Change of Zone no. 05014.

Sincerely,

Pam Knott
1421 C St.
Lincoln NE 68502



Cathy Beecham
<cathy_beecham@yahoo.com>

To: plan@ci.lincoln.ne.us
cc:
Subject: Support for Change of Zone 05014

03/16/2005 09:08 AM

Dear Planning Commission Member,

I am writing to express my **support for Change of Zone no. 05014** (Near South Neighborhood). This change of zone is vital to protecting and reinforcing the strong single-family character of our historic neighborhood and manages to do so without adversely affecting any existing apartments. Change of Zone 05014 dedicates areas for single-family homes and recognizing other areas best suited for apartments.

With this proposal, the Planning Commission has an opportunity to support the individuals who are investing in this part of the community. Families are, indeed, moving in and working to improve the neighborhood. With this proposed Change of Zone, the Commission has an opportunity to support this trend.

This change of zone will help make the Near South Neighborhood more stable, increasing market values and the quality of life for all residents. Please help us keep our city strong by voting yes on Change of Zone no. 05014.

Sincerely,

Cathy Beecham
2540 C Street
Lincoln, NE 68502

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"Cathy Wilken"
<nuts4gwrtw@neb.rr.com>
m>

To: <plan@ci.lincoln.ne.us>
cc: <cathy_beecham@yahoo.com>, <rwilken@neb.rr.com>
Subject: Stop the Madness - Support 05014

03/16/2005 05:42 PM

Dear Planning Commissioners:

House, house, apartment. Apartment, apartment, house. Imagine yourself living at 25th and C St. in historic Near South in a classic Craftsman built in 1925. Your neighbors own other beautiful old homes, but to the left, across the street and behind, as far as the eye can see, you're also surrounded by ugly brick apartment complexes and run down rentals in desperate need of TLC. You bought your home over a decade ago because you wanted authentic quality, a piece of Lincoln's history and something other than tacky houses looking like monopoly pieces on an all too familiar board game. You wanted something unique, one of a kind, solid, something that says, "I'm here to stay." And you wanted to be in good company with other like minded single family homeowners who valued history, diversity, quality and an old fashioned neighborly sitting on the front porch way of life.

Now imagine the Planning Commission and City Council having complete control of what happens in your neighborhood; granting permits for history to be torn down and ugliness to be erected right next door. Case in point, the monstrosity added to the back the classic home at 24th and C Street which is at the very least an eyesore, but more to the point, a classic example of a city that does not care about its past, or its future. Allowing that particular building permit caused neighbors who really cared about this neighborhood to contact the Commission letting our complaints be known, all for not. The building stands, a wart on the face of beauty, inhabited by frat boys who love to party into the wee hours of the morning every weekend, causing yet more headaches for neighbors who have been here long before the frat boys arrived, and who will be here long after the frat boys depart. When that particular building went up, a chain of events started which affected this neighborhood in a huge way. The family living in the home next to the new rental put their house up for sale and moved to the Woods Park neighborhood where they would not be surrounded by 48 apartments, noisy late night parties and cars racing up and down the alley. After much soul searching, they gave up on the Near South and sought in Woods Park those qualities which brought them to the Near South fifteen years ago. To see great neighbors and true friends of this area give up and leave made all of wonder if we shouldn't do the same - seek out a neighborhood of real family homes and quiet streets.

I've traveled to Atlanta, Charleston, Savannah, and other historic places in America, and hear time and again their laments for lacking the foresight to see what they were doing when they torn down history and allowed lot after lot to be replaced with commercial buildings, apartment complexes and parking lots. You have the power to stop the madness. You hold the future of the Near South in your hands. You decide whether more history will be destroyed or valued.

Lincoln has more than enough apartment complexes right now. What we are lacking in the Near South is single family homes, quality of neighborhoods, recognition of and relationships with neighbors. You don't get that in a neighborhood full of apartments. If every Planning

Commission member lived in the Near South, would you want this happening to you, or would you put up a fight and sincerely try to stop the madness.

It is my hope that I can continue to live in the area I love. But if the senseless destruction continues and the noise level continues to rise, then I'm not so sure. I might follow my friends to Woods Park for a little peace and quiet and quality of life. I hope I don't have to. Please, please support the Near South's sincere efforts to maintain the quality of our historic neighborhood. Please.

Sincerely,

Cathy Wilken
2444 C St.
Lincoln, NE 68502
477-5058 (hm)
475-6911 (wk)

March 16-Wed., 2005

FAX TO: Lincoln Planning & Zoning Commission 441-6377

Lincoln City Council 441-6533

RE: CHANGE OF ZONE NO. 05014
(Near South Neighborhood)

As a homeowner, I **SUPPORT** the change to R-2.

FROM: Janice K. Harroun
1932 South 14 Street
Lincoln, NE 68502
402-477-9581



"Dick Roberts"
<dick.roberts@homere
alestate.com>

To: <plan@lincoln.ne.gov>
cc:
Subject: down zoning

03/09/2005 10:38 AM

Dear Planning Commission,

I am totally opposed to your request to down zone the near south neighborhood. I am sure the city fathers do not want to devalue the apartment buildings to lower taxes in the area. By down zoning that is exactly the effect that occurs. I own a property at 1436 Peach St that is currently a 4 plex[built as such] in 1985. Restricting additional apartment buildings in the area is one thing but down zoning existing structures is not the answer. Existing structures should not be down zoned with the stroke of a pen.

Richard L Roberts



doubler
<doubler@neb.rr.com>

03/05/2005 03:41 PM

To: <plan@lincoln.ne.gov>
cc:
Subject: change of zone no. 05014

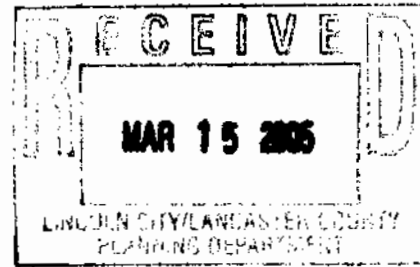
We just received notice of this proposed zone change.
We would like to go on record as being opposed to this change.

I

We purchased my property as an existing R-4 lot, (it is nearly two full lots) on which my house sits. I may never build a multi-family unit, but it is zoned as I purchased and would like it to stay that way.
How can some neighborhood association which I have never heard from before come and make changes to my property?

thanks for your time

Garry L Weber
Joyce E Weber



March 14, 2005

Lincoln-Lancaster County Planning Department

RE: change of zone No 05014

March 2, 2005 letter from David Witters says: "The Near South Neighborhood Association is working on a project to protect the investments people have made in purchasing properties in the neighborhood." Further, the letter states: ".....this plan will respect existing properties, while making the area more stable, increasing market values and the quality of life for everyone." I challenge these assertions!

Supposedly 1400 single family dwellings received this letter, apparently multi family unit property owners did not receive this letter unless they happened to own single family units in addition to multi family units. Hence it appears this change in zoning is designed to slip into reality under the radar. A speaker at the March 9, 2005 neighborhood meeting called this proposal a 'win-win' situation.

I am a property owner of both single family and multifamily units in the near South neighborhood. (this is why I received the letter in the mail) I fail to see a "win-win" situation as this if approved would mean I could not change my single family unit into a multifamily unit without special permit from government authorities. This has a major financial impact on me and a seemingly unfair advantage. Single family resident owners should not be working on a zoning plan without a mutual agreement with multi family property owners and future housing investors in the near South region of Lincoln.

Data

It was not evident at the meeting that the near South neighborhood group had any supporting data basic to their recommendation. No data was shown. For example, an answer could not be given to the following questions: (1) how many new homes have been built in the near South neighborhood for each of the last five years? (2) what happens now to the deteriorating homes in the near South? And (3) does lot value go up or down if its use is limited to single family dwellings only? No data was shown about increased assessed valuation of multifamily homes compared to the assessed valuation of single family homes. Without the possibility of upgrading a property to multifamily use or commercial use, lot values would seem to stabilize as competition for lots would decrease; is this desirable?

Choice

Currently, zoning is mixed in the near South neighborhood with choices of R-7, R-6, R-5, R-4, B-3, R-2, and public use property. This shows choice, a positive concept. This shows diversity, a good thing to create a mix of uses and allow for investors to inject financial resources into the neighborhood. To remove choice is a backward move toward stagnation and stability thus removing the chance for change, development, improvement, growth, and vitality. Choice is the American way. Removing choice is not the way

America or Lincoln was created.

Downtown Impact

Question? What is the impact of near South zoning going exclusive to R-2 and public use? Is it not true that a near South population density is needed to support a healthy downtown? Growth around downtown is limited on the West by Salt Creek and the railroad, on the North by the University and State Fair Park, on the East side of 33rd Street by Wyuka Cemetery. The South is the logical area for the population growth that is needed who will purchase services, entertainment, hold jobs, and create a need for business growth for grocery, clothing and other retail outlets. One needs to look at New York, Chicago, Vancouver, Hong Kong as examples of downtowns that prosper with near downtown population growth. R-2 zoning designation for single family units would have hampered the efficient growth of many cities. A look at Des Moines illustrates what happens to a downtown if population density yields to urban sprawl. The downtown fails to exist as a retail center. Look at Westfield Shopping Center, South Point Shopping Center, and retail growth on North 27th street corridor in Lincoln to note the growth of multifamily complexes that bring in population that supports the new retail outlets. Does Lincoln want a strong downtown? If the answer is yes, then it seems that a strong population growth is necessary to support and attract retail businesses.

Change

Large single family homes were the norm when families were large but demographics show smaller families who pay the high cost of living in suburbs rather than concentrate in historical housing near the downtown. Some of this is our affluence, the need for quality of life, new modern housing, and the abundance of motor traffic. Large older single family homes are expensive to keep in repair, energy inefficient, and at some point many reach the time when people would rather move into a modern efficient home rather than invest more into an existing home with outdated plumbing, electric service, insulation, heating, painted siding, and old energy inefficient windows. True, there are a good many quality older homes in the near South that will be there for many years to come, perhaps another century but, there are those cheaper built structures that are showing their age that are very expensive to bring up to modern housing standards and city codes. I have experienced rehabbing older single family houses and can verify the costs, the problem of meeting current building codes, the energy efficiencies, and the structural changes that are necessary to preserve older property. Change is inevitable! Downtown has changed, the demographics in Lincoln have changed. We need to identify these changes and make decisions that accommodate the future.

Density

Most investors and builders will acknowledge that modern multi family housing units represent energy efficiencies, higher assessed valuations for taxation, temporary housing for many who cannot afford their first home, and population densities desirable to attract commercial and retail services. Single family homeowners often detest apartments units thinking that they reduce the value of their property. That theory needs supportive data. Given, apartment complexes more often than not do not add to the beauty of the

neighborhood, this needs to be changed. Multi family units can look attractive and builders and investors should be required to consider this when applying for building permits. An example of a nice looking multiple unit faces the East at 15th and A streets. Multiple units need to be built with luxury accessories to attract long term residents. In fact, residents need quality luxury units that can be purchased as one would purchase a single family unit. Multiple units can be built attractively enough to attract clientele who are business executives that buy the unit, enjoy all the modern amenities, enjoy a very carefree leisure life style, and a high quality life style. Perhaps modern planning needs to create more choices in multifamily units that encourages more diversity in the type of residents who will inhabit those units. We may need to issue permits that encourage the building of attractive, efficient, luxurious long term resident style multiple living units that the neighborhood can show with pride. Such changes in planning policies might alleviate urban sprawl and reduce the need to widen streets, build more streets to accommodate distances from work, retail, and leisure services.

Summary

Please defeat this proposal to change zoning in the near South of downtown Lincoln. Single family R-2 zoning is a step back in time, prevents change, prevents diversity, prevents building density, impacts on the health of downtown Lincoln, prevents the infusion of investments to upgrade the area, and handcuffs the Planning Department and the Lincoln City Council. Neighborhoods should not usurp the decision making ability of the Planning Department and the City Council. The latter agencies need flexibility to plan the future they think is best for the City of Lincoln. Do not relegate planning decisions to neighborhoods, they are self serving. There are some important concepts here to debate. Please rethink what type of multiple unit housing serves best for the near South and supports downtown Lincoln.

Thank you reviewing this statement

Written by a concerned citizen, taxpayer, investor, and property owner of both single and multiple family units.

Robert Chapman
7150 Wedgewood Drive
Lincoln, NE 68510

402 488 9172



Gregory S Czaplewski

03/14/2005 02:58 PM

To: Jean L Walker/Notes@Notes

CC:

Subject: Near South Zoning Change

----- Forwarded by Gregory S Czaplewski/Notes on 03/14/2005 03:02 PM -----



"Dave Hatch"

<dhatch1@neb.rr.com

>

03/14/2005 02:47 PM

To: <gczaplewski@lincoln.ne.gov>

CC:

Subject: Near South Zoning Change

My name is Dave Hatch. Together with my wife Elsa we own the property at 1236 S. 26th Street. It is a 'built as' town home style 4 plex, built in 1952 and is presently zoned R5.

We recently have heard about the efforts to change portions of the Near South neighborhood zoning to R2. The property we own is located within the proposed zoning change area. With the way our property is laid out on the lot, I suspect it would be difficult to rebuild it with the same footprint and conform to the R2 setback requirements. This concerns me and I believe this change could negatively affect the value of our property.

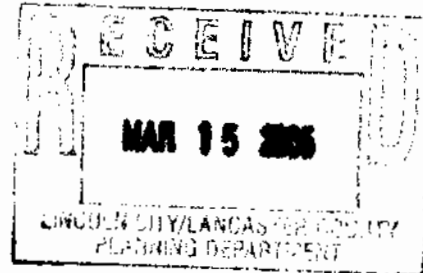
I understand the concept of not allowing new apartment buildings to be built on demolished single family sites in this area and am not opposed to it. However, I am opposed to a change in zoning to our property because it affects the value of it. We want to keep the R5 zoning on our property so we can be assured that if someday we need to rebuild it, we can. I don't believe this would negatively affect the value of the neighboring properties.

I can be reached at 560-0913 if you have questions. Thanks for your consideration.

Dave Hatch

3.15.05
2402 D ST.
Lincoln, Ne. 68502

Lincoln/ Lancaster County Planning Commission
555 S. 10th
Lincoln, Ne 68508



Dear Planning Commission Members:

I am writing to you concerning Change of Zone #05014 to Change approximately 333.65 acres of land for R-7, R-6, R-5, R-4 and B-3 to R-2 single family residential. I live in the affected area at 2402 D St in a single family home. (HOUTZ PLACE BLOCK 8 LOT 7). I have lived in the affected neighborhood for 25 years both as a tenant and a homeowner at 1205 S. 20th and my current residence. I have live in my current home for 8 years. Both of the homes I owned or currently own are single family homes.

As the owner of single family home in the neighborhood, I am opposed to this proposal by Dave Witter and Near South Neighborhood Association.

As a homeowner I bought my properties based on the existing zoning currently R-5. As the planning report points out in Section #2 and #3 R-2 is more restrictive for usages than R-5. The report points out in Section #2d there is conflicting data whether this will increase or decrease the property values in the area.

I attended a meeting on May 9, 2005 chaired by David Witters and Jon Carlson to inform the neighborhood about the proposed change. They made clear the reason they had requested a change of zone was to increase the value of single family homes in the proposed areas. Mr. Carlson stated that he could not guarantee it, but this is what usually happens in this process. He then introduced a realtor to support his claim and the realtor said that it typically will raise the price per square foot of homes sold in the rezoned neighborhoods. The letter dated Feb 17, 2005 from Mr. Witter to the planning department clearly states that it is the Near South Neighborhood Association's belief that it will increase property values.

The planning report clearly states that there is no definitive evidence or study to support this. In Section 2d of the report it states "It is difficult to determine the effect a change of zoning will have on property values." It goes on to state that there is the possibility it could diminish property values or it could encourage home ownership, which could increase property value. It is interesting to note that neither in the planning report nor in the application letter there is no research or data cited to support the claim that downzoning will raise property values.

I believe that this downzoning has the potential to negatively impact my property's value and the value of other property in the neighborhood. If the planning department states that they cannot determine the effect of the change and that it could as likely have a negative impact as a positive one on property values, I do not think it is worth the risk and

anxiety for property owners. We all bought in the neighborhood based on the existing zoning and made our economic decisions based on that existing zoning. Now a group of homeowners has decided that based on their beliefs they want to downzone an entire section of the city comprising over 333.65 acres. The planning department has clearly stated that they cannot predict the impact on property values in this neighborhood.

The neighborhood association has stated in their application that it will stabilize the neighborhood. As I read the application and material presented by the Near South Neighborhood Association a stable neighborhood means that it will limit any further construction in the neighborhood to single family homes and will limit home owners from subdividing their home into multiple units.

It appears that stability in the neighborhood is synonymous with single family homes. I moved and stayed in the neighborhood because of the combination of multiple units with single families which gives the neighborhood much more of an urban feel than other areas of Lincoln. It also meant a diverse population including students, new arrivals to the community, young people, and older individuals, as well as families. Lincoln has a void of these mixed use neighborhoods and an abundance of R-2 only neighborhoods. The mixed use is what gives this neighborhood its uniqueness. One of the benefits of this neighborhood was that I and others could live in it when we were college students and just entering the workforce living paycheck to paycheck, and remain here as home owners as our incomes grew. For all practical purposes the downzoning will force out those on fixed or low income, as apartments become more expensive, because an artificial cap is being put on development in the neighborhood. In addition it will result in less housing being available in this neighborhood, which will lower the amount of affordable housing available(not just single family, but also apartments need to be considered when speaking of affordable housing).

Two other points I would like to make is that the planners report states under section 2 b that there are several Comprehensive Plan Policies and strategies that are neutral to or would suggest this downzoning is not appropriate. None of these policies or strategies are noted in the report. In a truly deliberative process by all parties these policies and strategies should be included in the official report on this downzoning and be part of the official record.

Also much of the planners report references stress on the infrastructure and that the neighborhood has reached a "tipping point", yet no data is provided. The question seems to be unaddressed without the data. Is there a legal or planning definition of infrastructure stress? Why can neighborhoods in Omaha and Des Moines support larger populations per square mile than Lincoln? What is the legal or statute definition for the "tipping point"? If there is no reference point for this, this decision is being made on subjective beliefs of the neighborhood association and the planning department with no actual data to support these claims.

Finally, I do object to the procedural method that is being used to downzone a very large neighborhood that impacts over 3300 living units. I was given no constructive notice that downzoning was even contemplated on my property and the neighborhood until Saturday

Mar 5, 2005 when I received letters from the Neighborhood Association and the city. As a longtime property owner in the neighborhood I and other property owners should have been give more than 11 days notice (7 business days), prior to the public hearing and final decision of the planning commission. The neighborhood association filed this application on the 16th of Feb. 2005, but did not feel it was appropriate to notify property owners until more than two weeks later. It would seem that when a large downzoning like this is being contemplated the property owners should be given a reasonable and significant period of time to understand and respond to a downzoning that will significantly impact their property rights. I don't understand why the public hearing and the final vote are being taken on the same day. It seems that the arguments for both sides should be evaluated in a more deliberative process before the decision is made.

In conclusion, I do not think that a compelling case has been made for downzoning by the Neighborhood association. To impact and affect a property owner's current existing legal use of that property, I think a compelling case for the public interest of all the citizens of this community should be made. The neighborhood association is asking you to downzone my property and others based on their "beliefs" of what will happen with no data to substantiate their claims. I hope you will consider the affect the downzoning will have on many of us who bought our homes based a certain type of zoning and than to have the rules changed without having any real input into the decision.

Thanks for your time and consideration.

Yours truly,

Rob Simon

402 417-5576